

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1971

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 4, 1971



Vol. 1

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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JOURNAL
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FIRST LEGISLATIVE DAY

TUESDAY, MAY 4, 1971

This being the first Tuesday in May, A. D., 1971, and the day fixed by law and the Constitution of the State of Alabama for the biennial meeting of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery at 12 o'clock Noon, and was called to order by Lieutenant Governor Beasley, President and Presiding Officer of the Senate.

McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	Owen	

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LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. O'Bannon for today.

MESSAGE FROM THE HOUSE

Mr. President:

I am directed by the House of Representatives to notify the Senate that the House of Representatives is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

The following Bills, having been pre-filed with the Secretary of the Senate under the provisions of Senate Rule 33, were severally read one time, and previous referrals by the President and Presiding Officer to appropriate Standing Committees were confirmed, as follows:

By Mr. Dominick:

S. 1. Providing for the conservation of the air quality of the State; the prevention, abatement and control of air pollution and for related purposes; repealing conflicting laws and specifically repealing Act No. 1135, S. 520, Regular Session 1969.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 2. In relation to ethical standards in State government, prescribing penalties for its violation and creating a Board of Ethics with specified powers and duties.

Committee on Judiciary.

By Mr. Bailes:

S. 3. To abolish the Alabama State Milk Control Board, the office of executive secretary of the Milk Control Board, and the milk control board fund; to repeal Chapter 7 of Title 22, Code of Alabama, all laws amendatory thereto or supplemental thereto, and all rules and regulations of the Alabama Milk Control Board; and to provide for transfers of funds and property.

Committee on Health.

By Mr. Bailes:

S. 4. Relating to the purchase, distribution, and sale of alcoholic beverages in Alabama; prohibiting the purchase of additional alcoholic beverages and the distribution and sale of inventories by the board, the distribution of the proceeds therefrom, and repealing conflicting laws.

Committee on Health.

By Mr. Vacca:

S. 5. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 6. To amend Code of Alabama 1940, Title 51, Section 15, relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 7. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Committee on Judiciary.

By Mr. Vacca:

S. 8. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Committee on Judiciary.

By Mr. Vacca:

S. 9. Relating to crimes and offenses; prohibiting the concealment of material facts or the making of certain false statements or writings in matters within the jurisdiction of any department or agency of this State; prescribing penalties.

Committee on Judiciary.

By Mr. McLain:

S. 10. Proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McLain:

S. 11. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Committee on Youth and Student Activities.

By Mr. Lybrand:

S. 12. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political subdivisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Committee on Finance and Taxation.

By Mr. Horne:

S. 13. Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than thirteen years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought in the Circuit Court of Montgomery County, Alabama, in Equity; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain

state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of education for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the provisions of this Act shall be severable; and providing for the effective date of this Act.

Committee on Education.

By Mr. Cooper:

S. 14. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Committee on Constitution and Elections.

By Mr. Horne:

S. 15. To create and establish a state university of Montgomery County, to be known as the University of Montgomery, under the management and control of a board of trustees; to provide for the number, terms and manner of appointment of the members of such board; to provide for the abolition of Auburn University of Montgomery and to authorize and direct the conveyance and transference of certain of its property to the board of trustees of Montgomery University and certain of its other property to the board of trustees of Troy University; and to provide for the transference of certain debts and obligations heretofore incurred for the establishment and operation of Auburn University at Montgomery and of all funds held and appropriations heretofore or hereafter made for the benefit of Auburn University at Montgomery.

Committee on Education.

By Mr. Hammond:

S. 16. To regulate the holding of rock festivals, as defined herein, by requiring the posting of a cash bond as security for the payment of any unpaid property damage, fines and additional law enforcement expenses by requiring certification by the State Board of Health that certain health and safety regulations are met and by requiring the payment of all necessary taxes and license fees before a sheriff shall issue a permit therefor; to direct the State Board of Health to promulgate pertinent health and safety regulations; to establish penalties for the failure to comply with the provisions of this act; and for related purposes.

Committee on Judiciary.

By Mr. Cooper:

S. 17. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Committee on Agriculture.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Cooper:

S. 18. To authorize and proscribe for the promotion of the production, marketing and use of soybeans and soybean products by research, education, advertising and other methods; authorizing soybean producers to act jointly with handlers, buyers and processors of soybeans and with the State Board of Agriculture and Industries for a promotional program; providing that producers of soybeans may by referendum levy upon themselves assessments for financing a promotional program and for the collection and expenditure of such assessments; prescribing duties of the Commissioner of Agriculture and Industries, with respect to such a promotional program; and providing for the administration thereof by a nonprofit association; and providing for the collection of assessments by dealers, handlers and other buyers of soybeans; requiring an annual permit of such dealers, processors and other buyers; refund rights of sellers of soybeans; and other administrative, enforcement and penalty provisions.

Committee on Agriculture.

By Mr. Fine:

S. 19. To create and establish a State Central Data Processing Authority; to prescribe the composition, powers and duties of the Authority and of its Executive Director; and to provide for necessary appropriations and funding of said Authority.

Committee on Judiciary.

By Mr. King:

S. 20. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Committee on Youth and Student Activities.

By Mr. Branyon:

S. 21. To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

Committee on Judiciary.

By Mr. Dominick:

S. 22. To create, establish and provide for the operation of a legislative fiscal office as a division of the legislative branch of the state government to provide budget review, fiscal analysis and other types of financial information to the standing committees of the legislature and to the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; and to provide that such office shall be under the general supervision and direction of a joint fiscal committee, but shall be a separate organization from the legislative reference service and completely independent thereof.

Committee on Judiciary.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate Standing Committees, as follows:

By Mr. Harris (By Request):

S. 23. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve

the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

Committee on Judiciary.

By Mr. Harris:

S. 24. To amend further Code of Alabama 1940, Title 51, Section 398, as amended, relating to corporate income taxes; to provide for elections by certain small business corporations as to such corporations' taxable status for state income tax purposes; specifically to authorize any such corporation to elect to be treated for Alabama income tax purposes as a partnership with its income or loss being prorated annually to its shareholders who shall then be liable for the state income tax thereon; to regulate and provide for the proration of such income and the assessment and payment of the state income taxes due thereon; to provide that the provisions herein are supplemental to this State's income tax laws; and to provide an effective date.

Committee on Finance and Taxation.

By Mr. Harris:

S. 25. To amend Section 186 of Title 47, Code of Alabama, 1940 which relates to the jurisdiction of the circuit court to divide or sell property for division, so as to include therein the property of joint tenants with right of survivorship.

Committee on Judiciary.

By Messrs. Hammond, Foshee, Register, Fine, Clark, Cooper, Wilder, Malone, Owen, Pierce, Littleton, Weaver, Dozier, Noonan, Shelby, Pelham, Harris, Carr, Wilson, Lybrand, O'Bannon and Horne:

S. 26. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such funds; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

Committee on Conservation.

By Messrs. Hammond, Foshee, Register, Fine, Clark, Cooper, Wilder, Malone, Owen, Pierce, Littleton, Weaver, Dozier, Noonan, Shelby, Pelham, Harris, Carr, Wilson, Lybrand, O'Bannon and Horne:

S. 27. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

Committee on Conservation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Wilson:

S. 28. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation for defraying the necessary expenses of the Alabama Commissioners to the National Conference of Commissioners on Uniform State Laws, and providing for a contribution by this State to said Conference.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 29. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

Committee on Conservation.

By Mr. Wilson:

S. 30. To amend Sections 31 and 33 of Title 13, Code of Alabama 1940, as amended, pertaining to the election by the chief justice or any associate justice of the supreme court to become a supernumerary justice, prescribing the conditions for such election, and further prescribing the term of office of supernumerary justices, and the duties, powers, and salaries of such justices.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 31. To amend Section 460, Title 51, Code of Alabama, 1940, as amended, relating to annual license fees for attorneys.

Committee on Judiciary.

By Mr. Wilson:

S. 32. To provide further for the management of the courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

Committee on Judiciary.

By Mr. Carr:

S. 33. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 34. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 35. Relating to judicial procedure in the Twenty-Seventh judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 36. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 37. Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama for the passage, approval and enactment into law of substantially the following:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Register of the Circuit Court of Marshall County, Alabama, shall receive an annual salary of ten thousand dollars (\$10,000.00), to be paid in equal monthly installments from the County treasure of Marshall County.

Section 2. All general, local or special laws, or parts of such laws, which conflict with this Act are hereby repealed.

Section 3. If any clause, sentence, paragraph or section of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, unconstitutional or otherwise unlawful, such judgment shall not affect, impair or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall be granted.

Section 4. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20, Aug. 27, Sept. 3, and Sept. 10, all in the year 1970.

EWELL H. REED.

Sworn to and subscribed before me 8th day of April, 1971.

MYRNA SHORES,
Notary Public.

By Messrs. Malone and Littleton:

S. 38. Relating to taxation; providing sales and use tax exemptions to the Boys Clubs in Alabama which are affiliated with the Boys Clubs of America.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 39. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Committee on Judiciary.

By Mr. Lybrand:

S. 40. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 41. To provide that every person who participates in any endless chain shall be guilty of a misdemeanor; to provide for the punishment and fine for such misdemeanor; to define endless chain and participate as used in this Act; to limit the definition of compensation as used in this Act; to repeal all laws in conflict.

Committee on Judiciary.

By Mr. Branyon:

S. 42. To amend Section 28 G, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a high school at Fayette" be changed to read "For the construction of a school, schools, or other educational facilities in Fayette County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 43. To amend Section 26 of Act No. 987 of the General Acts of Alabama 1969, now codified as Title 13, Section 111 (25), Code of Alabama 1940, recompiled 1958, to fix the compensation of the clerk of the Court of Criminal Appeals, to fix the compensation of the assistant clerk of the Court of Criminal Appeals, and to appropriate funds for carrying out the provisions of this act.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 44. To amend Act No. 283, H. 561, approved August 23, 1955, as last amended by Act No. 189, approved August 8, 1967, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 45. To amend Section 27, Title 34, Code of Alabama, 1940, as amended, relating to period of residence to be proved for abandonment.

Committee on Judiciary.

By Mr. Shelby:

S. 46. To amend Section 29, Title 34, Code of Alabama, 1940, as amended, relating to proof of plaintiff's residency when a defendant is a non-resident.

Committee on Judiciary.

By Mr. Shelby:

S. 47. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 48. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

Committee on Judiciary.

By Messrs. Vacca and Givhan:

S. 49. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

Committee on Finance and Taxation.

By Messrs. Bailes, Vacca, King, and Dominick:

S. 50. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public

safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

Committee on Judiciary.

By Messrs. Bailes, Vacca, King and Dominick:

S. 51. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

Committee on Judiciary.

By Mr. Givhan:

S. 52. To amend Section 93 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

Committee on Conservation.

By Mr. Givhan:

S. 53. To amend Section 92 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

Committee on Conservation.

By Mr. Wilder:

S. 54. To amend Sections 1, 2, 3, and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Horne:

S. 55. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement.

Committee on Education.

By Mr. Cooper:

S. 56. To amend Sections 344, 345, 346, 347, 348, 349, 350 and 351 of Title 45, Code of Alabama 1940, relating to execution of death sentence; so as to provide further for place of execution.

Committee on Judiciary.

By Mr. Cooper:

S. 57. To provide that the list of registered voters shall be used as the primary source for names to be considered for jury service; to provide a method of determining qualifications of persons considered and for the supplies, clerical help and meeting days necessary to carry out the purposes of the act; amending Sections 18 and 21, Title 30, Code of Alabama, 1958 Recompiled, and repealing all conflicting laws.

Committee on Judiciary.

By Mr. Cooper:

S. 58. Relating to Wilcox County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Committee on Finance and Taxation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENACTED
AN ACT

Relating to Wilcox County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction in Wilcox County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or operation of motor vehicles upon the highways of this State, shall be paid into the general funds of such county, and the remainder shall be remitted by the proper authority to the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 14, Jan. 21, Jan. 28, and Feb. 4, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me Feb. 4, 1971.

GLEND A. CURL,
Notary Public.

By Messrs. Cooper and Givhan:

S. 59. To provide expense allowance to Judges of the Circuit Court in all Judicial Circuits composed of five or more counties in addition to those expenses now allowed by law.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 60. To amend Section 28 D, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a school at Camden (Wilcox County High School)" be changed to read "For the construction of a school or schools in Wilcox County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 61. To make an additional appropriation out of the General Fund in the State Treasury for the office of the Lieutenant Governor for the fiscal year ending September 30, 1971, to supplement the amount now appropriated for the use of said office to the Legislature of Alabama in Act No. 995, 1969 Regular Session.

Committee on Finance and Taxation.

By Messrs. Pierce and Jones:

S. 62. To amend Section 1 of Act No. 473, S. 239, Regular Session 1969, an act to regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid, so as to provide that certain used property may be traded-in to licensed dealers thereof under certain conditions; to clarify the provisions of said act and to repeal Section 11 (a) thereof.

Committee on Judiciary.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 63. To amend Section 3 of Act 437, H. 713, Acts of Alabama, 1949, page 633, which relates to establishing a sinking fund by municipalities, by amending Section 3 of said act so as to authorize employment of a savings and loan association, organized either under the laws of the State of Alabama or of the United States, to act as Trustee of such sinking fund.

Committee on Banking.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 64. To further amend Section 265, Title 37, Code of Alabama, 1940, which section relates to investment of sinking funds so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository of sinking funds.

Committee on Banking.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 65. To amend Sections 1 and 6 of Act #3, H. 64, approved June 20, 1967, (Acts of 1967, Vol. 1, p. 336), an act entitled "An Act to provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits; open account, to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; to prescribe penalties for violations of this act, and to repeal inconsistent laws," so as to authorize the State Treasurer to deposit the money of the state in a savings and loan association organized either under the Laws of the State of Alabama or of the United States.

Committee on Banking.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 66. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Committee on Banking.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 67. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Committee on Banking.

By Messrs. Clark, Littleton, Pelham, Malone and Shelby:

S. 68. To amend Sections 379, 380, 383, 388 and 389 of Title 55, Code of Alabama 1940, relating to state depositories and procedures in connection therewith, so as to provide that a savings and loan association, organized under the laws of the State of Alabama or of the United States, may be designated as a state depository and providing procedures therefor.

Committee on Banking.

By Mr. Pelham:

S. 69. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 70. To amend Section 30 of Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064), as amended by Act No. 477, S. 337, Regular Session of 1969, (1969 Acts, p. 933); so as to increase the registration fee levied by subsection E of the said Section 30, and so as to make further provisions as to the disposition of the proceeds from the said registration fee:

Committee on Finance and Taxation.

By Mr. Pelham:

S. 71. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama, as heretofore amended, so as to make further provisions with respect to the disposition of that portion of the proceeds from the state gasoline excise tax that is referred to in the said Act No. 224 as the state's share of the said proceeds.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 72. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 73. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$135,000,000 aggregate principal amount of bonds in addition to those heretofore authorized to be issued by the Authority; to provide for the method of execution of the said bonds and other details pertaining thereto; to provide that the bonds shall be sold only at public sales and to make provisions respecting such sales, and the application of the proceeds from the sale or sales thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the Authority appropriated and pledged in this act; to provide that the said bonds while not registered shall constitute negotiable securities even though payable from a limited source; to provide that bonds at any time issued by the Authority and by Alabama Highway Finance Corporation, or either of them, and at the time outstanding may be refunded by the issuance by the Authority of refunding bonds and that the limitation on the amount of the bonds issued by the said Authority under this act shall not apply to refunding bonds issued under this act; to provide that the bonds and the income therefrom shall be exempt from taxation; to provide that the bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of the bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that if

any portion of this act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Committee on Finance and Taxation.

By Mr. Edington:

S. 74. To create the Alabama State Docks Authority; providing for the membership thereof and for the manner of appointment and the powers and duties of the commissioners of the Authority and of the State Docks Director; transferring to the Authority all the rights, powers, duties, authority, funds, property, books, records and effects of the Alabama State Docks Department; abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act 103 (H. 230) Acts of Alabama, 1955, Vol. 1, p. 345; and Act No. 302, Acts of Alabama, 1961, p. 2362; and amending Sec. 9 and Sec. 13 of Title 38, Code of Alabama 1940.

Committee on Seaports.

By Mr. Edington:

S. 75. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Committee on Judiciary.

By Messrs. Edington, Noonan and Pelham:

S. 76. To provide a state scholarship program to promote the education of nurses at the School of Nursing, University of South Alabama; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Edington:

S. 77. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Committee on Judiciary.

By Mr. Edington:

S. 78. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; providing for the creation of an Employment Agency Board and the appointment and terms of its members; providing and defining the powers and duties of such Board to enforce and administer this act; prescribing penalties.

Committee on Judiciary.

By Messrs. Owen, Horne, Weaver, Hammond, Littleton and Carr:

S. 79. To abolish the Alabama Water Improvement Commission; to provide for the control of water pollution within the State of Alabama; to create and establish a Water Pollution Control Board; to

prescribe the jurisdiction, powers, duties and functions of the Water Pollution Control Board; to provide for a chief administrative officer of the Board; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Water Pollution Control Board; to prescribe penalties and make appropriations; to provide procedures whereby individuals may institute suits for violations of any provision of this Act; and to provide an orderly transfer of all matters, personnel, records, functions, powers and unexpended funds from the Water Improvement Commission to the Water Pollution Control Board.

Committee on Conservation.

By Mr. Owen:

S. 80. To amend Act Number 546, Regular Session of the Legislature of Alabama 1965 (approved August 20, 1965), relating to resident State hunting license for persons sixty-five or older.

Committee on Conservation.

By Mr. Owen:

S. 81. To amend Section 38 of Title 8 of the Code of Alabama of 1940 so as to provide an increase in amount for the resident annual state fishing license, eliminating the difference due to type of sport fishing gear used to catch fish.

Committee on Conservation.

By Mr. Owen:

S. 82. To establish the procedure for obtaining an annual resident state hunting license.

Committee on Conservation.

By Mr. Owen:

S. 83. To amend Section 35 of Title 8 of the Code of Alabama of 1940 so as to increase the amount of the fine for hunting without a license.

Committee on Conservation.

By Mr. Owen:

S. 84. To provide for the certification of public librarians; to establish a Public Library Commission for Certification; to provide for the appointment and terms of its members; and to prescribe their duties and responsibilities.

Committee on Judiciary.

By Mr. Owen:

S. 85. Relating to coroners, authorizing coroners to appoint deputies.

Committee on Judiciary.

By Mr. Owen:

S. 86. To provide for the seizure and confiscation of property used in the taking of deer from public waters.

Committee on Conservation.

By Mr. Owen:

S. 87. To amend Section 139 of Title 8 of the Code of Alabama of 1940, as amended by Act Number 108 enacted at the 1961 Special Session of the Legislature of Alabama, so as to eliminate the six cent (6¢) per barrel tax on owners of private reefs and to remove from tax exemption those who take oysters for replanting from public reefs, beds or bottoms.

Committee on Conservation.

By Mr. Owen:

S. 88. To provide for license for crab catchers to take or catch crabs and to set out the amount to be paid for such licenses.

Committee on Conservation.

By Mr. Owen:

S. 89. To require the proper marking and identification of nets, seines and traps in the coastal waters of Alabama.

Committee on Conservation.

By Mr. Owen:

S. 90. To amend Section 135 of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the fee to register and license vessels used to catch or transport oysters.

Committee on Conservation.

By Mr. Owen:

S. 91. To amend Section 3 of Act No. 632 enacted at the 1959 Regular Session of the Legislature of Alabama, as heretofore amended, so as to establish the prescribed tax for the purchase of seed oysters both from public and non-public reefs, beds or bottoms, as well as to define a live oyster reef.

Committee on Conservation.

By Mr. Owen:

S. 92. To amend Section 119 (1) of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the license fee for taking oysters.

Committee on Conservation.

By Mr. Owen:

S. 93. To amend Section 146 of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the license fee for selling raw oysters.

Committee on Conservation.

By Mr. Owen:

S. 94. To create a board of trustees to manage and control Jefferson Davis State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to

the board of trustees of Jefferson Davis State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 95. To create a board of trustees to manage and control Northwest Alabama State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of the Northwest Alabama State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 96. To create a board of trustees to manage and control Jefferson State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Jefferson State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 97. To create a board of trustees to manage and control James H. Faulkner State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of James H. Faulkner State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 98. To create a board of trustees to manage and control Enterprise State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Enterprise State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 99. To create a board of trustees to manage and control Northeast Alabama State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Northeast Alabama State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 100. To create a board of trustees to manage and control Alexander City State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Alexander City State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 101. To create a board of trustees to manage and control Snead State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Snead State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 102. To create a board of trustees to manage and control Patrick Henry State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Patrick Henry State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 103. To create a board of trustees to manage and control Albert P. Brewer State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state

department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Albert P. Brewer State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 104. To create a board of trustees to manage and control Southern Union State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Southern Union State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 105. To create a board of trustees to manage and control John C. Calhoun State Tech. Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of John C. Calhoun State Tech. Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 106. To create a board of trustees to manage and control Mobile State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Mobile State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 107. To create a board of trustees to manage and control Gadsden State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Gadsden State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 108. To create a board of trustees to manage and control Lurleen B. Wallace State Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Lurleen B. Wallace State Junior College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Owen:

S. 109. To create a board of trustees to manage and control George C. Wallace State Tech. Junior College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of George C. Wallace State Tech. Jr. College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Education.

By Mr. Givhan:

S. 110. Relating to local funds for support of public schools; requiring a prescribed minimum of financial local support of public schools; prescribing penalties for failure to meet such minimum requirements; providing for the time for making of computations and calculations of such minimum requirements; providing for recalculations of such minimum requirements; defining local support and providing for the repeal of Act No. 33 of the Special Session of the Alabama Legislature 1969, and all other laws in conflict herewith.

Committee on Finance and Taxation.

By Mr. Horne:

S. 111. To amend Title 52, Section 41, Code of Alabama 1940 as amended; to provide for the salary of the state superintendent of education; to repeal all laws in conflict herewith and to provide for an effective date of this act.

Committee on Finance and Taxation.

By Mr. McLain:

S. 112. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Committee on Education.

By Mr. McLain:

S. 113. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Committee on Education.

By Mr. McLain:

S. 114. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

Committee on Education.

By Mr. Pierce:

S. 115. Relating to Education: To declare teaching a profession with rights, responsibilities and privileges in keeping with the importance of the services performed; to create a professional board and to provide the method of selection; to provide for the adoption of a code or standard of ethics and the penalties for the violation thereof; to provide for the adoption of regulations by the board created by this act; to provide certain powers in the issuance, revocation or suspension of teachers' certificates.

Committee on Education.

By Mr. Harris:

S. 116. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuits.

Committee on Finance and Taxation.

By Mr. Harris:

S. 117. To amend Title 52, Section 148, 1940 Code of Alabama as amended, and to define a city within the meaning of Title 52, Code of Alabama, 1940.

Committee on Municipal Government.

By Mr. Harris:

S. 118. Relating to county roads and rights-of-way and all improvements therein providing for regulation of digging up or use of such roads and rights-of-way or improvements therein for certain purposes by public utilities.

Committee on County Government.

By Mr. Hammond:

S. 119. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Committee on Judiciary.

By Messrs. Vacca, Givhan, King, Dominick, Gilmore and Bailes:

S. 120. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Committee on Judiciary.

By Messrs. Dominick, Vacca, King, Bailes, Noonan, Pierce, Carr, Branyon, Wilder, Fine, Cook and Shelby::

S. 121. Relating to private passenger automobiles; defining "private passenger automobile;" creating a manufacturer's warranty as to standards of safety concerning the ability to sustain shock; providing, in lieu of the warranty, certification by the manufacturer of compliance with the energy absorption standards prescribed; providing an effective date.

Committee on Judiciary.

RESOLUTIONS

The following Resolution, S. J. R. 1, by Mr. Hawkins, pre-filed under the provisions of Senate Rule 33, was read, to-wit:

S. J. R. 1. WHEREAS, the Year 1971 marks the 75th Anniversary of the adoption of, and the promulgation of, Vulcan as a symbol of the South's leading steel and iron center, Birmingham; and

WHEREAS, the people of Birmingham did cause to be built in the Year 1904 a statue of Vulcan, in furtherance of the symbolism, and promotion of Alabama and Birmingham; and

WHEREAS, the statue of Vulcan is the largest statue ever produced in the United States and the largest cast metal statue ever produced by man in the past 2,000 years; and

WHEREAS, the statue of Vulcan is one of the eight wonders of the world and represents a monumental achievement of American democracy at its best; and

WHEREAS, Vulcan is public property, open and free to all, and was designated "The Great Alabama Vulcan" by the people of Birmingham in 1904, in order that the state might be ably represented at the St. Louis Worlds Fair; and

WHEREAS, the statue of Vulcan is artistically, historically, and physically worthy of presentation on a postage stamp of the United States of America; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the President of the United States, and the Postmaster General of the United States, are called upon to cause to be issued, in the Year 1971, in the City of Birmingham, Alabama, a postage stamp bearing the likeness of the statue of Vulcan, as it appears on Red Mountain in said city.

BE IT FURTHER RESOLVED That all members of the Alabama Congressional Delegation are called upon to aid and support this meritorious project.

And said Resolution, S. J. R. 1, was then referred to the Standing Committee on Rules.

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again at 12:00 Noon on Tuesday, May 25, 1971, without pay.

Which was read and referred to the Standing Committee on Rules.

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Committee of three members of the Senate, to be named by the presiding officer of the Senate, and three member of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Wilder, Hammond and Foshee.

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama; and

BE IT FURTHER RESOLVED, That a committee of two from the Senate, to be named by the presiding officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Givhan and Owen.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That each house shall on the fourth legislative day, immediately following the call of the districts or counties, as the case may be, proceed to elect members of the Building

Commission, Legislative Council, and Committee on Examiners of Public Accounts, in the number and manner prescribed by law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 3, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the acts of the House of Representatives and the Senate for the Organizational Session of 1971 and the First Special Session of 1971 be reserved and printed and bound with the acts of the House of Representatives and Senate for the Regular Session of 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 4, set out on the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Wood, Collins, Stokes, Therrell, Downing, Roberts, Callahan and Lyons:

H. J. R. 7. WHEREAS, the constant increase of the burden placed on state and local government for public services has resulted in harsh and repressive property and consumer taxes, and

WHEREAS, the lion's share of national revenues are in the form of income taxes paid directly to the federal government, and

WHEREAS, even with the extreme local tax burden, state, county and municipal governments throughout the nation, are unable to perform their governmental and proprietary functions as required by law, and

WHEREAS, Congress, up to this point, has failed to act in any substantial way to relieve the situation by an equitable and reasonable system of revenue sharing; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama memorialize both houses of the United States Congress to enact legislation to share with the states, counties and cities, a portion of the im-

mense revenues received from income taxes placed upon the citizens of this nation, so that local governments, so essential to a democratic society, may be preserved.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to both United States Senators, and all members of the United States House of Representatives from Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Mr. Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. WHEREAS, the office of the Lieutenant Governor of the State of Alabama is a constitutional executive office elected statewide, and is the second highest office in the State, and

WHEREAS, in addition to the duties as President and Presiding Officer of the Senate, the demands placed upon the office of the Lieutenant Governor have become more numerous and in order to more adequately serve the people of the state, additional funds and staff are needed by this most important office; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Lieutenant Governor be allowed to increase his staff by the addition of two (2) administrative assistants whose combined individual salaries shall be fixed by the Lieutenant Governor in an amount not to exceed \$26,000.00 per annum, and three (3) additional secretaries whose combined individual salaries shall not exceed \$22,500.00 per annum, and in addition thereto, the Lieutenant Governor shall be allowed an additional \$1,250.00 per month for expenses incurred in the performance of his duties, to be paid at the end of each month during his term, all of said sums to be paid out of any available funds appropriated for the use of the Legislature.

Which was read and referred to the Standing Committee on Rules.

Messrs. Pierce, Jones, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder and Wilson offered the following Senate Resolution, to-wit:

S. R. 6. WHEREAS today is the birthday of Mrs. Nell Ruffer, Assistant Secretary of the Senate, a dedicated and loyal employee of the Senate for some thirty-six years; and

WHEREAS, in her capacity as Assistant Secretary of the Senate, Mrs. Ruffer has been of inestimable value to all of the members of not only the Senate but the Legislature and general public as well; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA That we do hereby extend to Mrs. Ruffer our best wishes for a healthy and happy birthday, and wish that she may enjoy many more years as a friend and confidante of the Senate.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Hammond offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. WHEREAS, the Joint Interim Study Committee on Highway Financing, has recommended the creation of a Highway Policy and Planning Commission to establish a long-range financing program for federal, state, city and county highways; and

WHEREAS, this body feels that such a commission will serve the best interests of the people of Alabama in studying current conditions, future needs, and present and projected sources of revenue for an expanded highway program; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a Highway Policy and Planning Commission is hereby established, consisting of three Senators appointed by the Lieutenant Governor, three Representatives appointed by the Speaker of the House, a representative of the Alabama League of Municipalities, and a representative of the Association of County Commissioners, each to be designated by the Governor. The commission shall also include the Highway Director, the Finance Director, and five members from the public at large to be appointed by the Governor.

BE IT FURTHER RESOLVED, that the members of the Highway Policy and Planning Commission shall serve without pay, but shall be authorized to select an Executive Director, and fix his salary. Expenses of the commission shall be paid from funds appropriated to the Highway Department.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a Committee of five, consisting of two members of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker, be named to wait upon the Governor of Alabama and inform him of the Regular Session of the Legislature, and its readiness to transact business.

BE IT FURTHER RESOLVED that a Joint Session of the House and Senate be held at 6:30 o'clock P. M., today for the purpose of hearing the message of The Honorable George C. Wallace, Governor.

AND BE IT FURTHER RESOLVED that the above Committee advise the Governor that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that the Committee escort the Governor to the joint session.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Hobbie, Carter and Gloor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Givhan and Owen.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Williams, Turner:

H. J. R. 12. WHEREAS, the Alabama Public Service Commission on April 29, 1971 approved a rate increase for the Alabama Power Company resulting in an overall increase of \$17 million per year to its residential, industrial, and commercial customers, and

WHEREAS, the said rate increase will have a significant and adverse impact on the economy of Alabama, and

WHEREAS, said rate increase was computed upon a valuation of the company's properties based in significant part on "reproduction costs" of such properties, and

WHEREAS, this Legislature on April 30, 1971 enacted House Bill No. 38 into law, establishing "original costs" of the company's properties as the sole factor to be used in computing valuation for rate making purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Public Service Commission be and is hereby petitioned by this body to reconsider its decision of April 29, 1971 and to order a rehearing on the requested rate increase and in its deliberations take into consideration this new change in the law requiring the use of "original costs" of the said company's properties in computing valuation for rate making purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 12, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Parker (H), Erdreich, Cherner, Waggoner, Adwell, Dill, Wallace, Falkenburg, Jones (E), Boles, Gafford, Weeks, Ellis, Boutwell, Doss, Timmons, Meeks and McBride:

H. J. R. 13. Congratulating Representative and Mrs. Tom Gloor on their silver anniversary.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 13, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

COMMUNICATION

The following Communication from Mr. E. J. Gilbert, Assistant Doorkeeper, was read by the Secretary:

May, 1, 1971

Honorable Jere Beasley
Lieutenant Governor
State Capitol
Montgomery, Alabama

Dear Governor Beasley:

Due to a conflict of duties, I find it necessary that I regretfully tender my resignation as Assistant Doorkeeper of the Senate of Alabama.

I have enjoyed very much these few weeks as Assistant Doorkeeper, and appreciate the privilege of having worked in the Legislature.

With best wishes, I remain

Sincerely yours,

E. J. GILBERT.

Whereupon, the President and Presiding Officer called for the election of an Assistant Doorkeeper to replace Mr. Gilbert.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Cooper placed in nomination for the position of Assistant Doorkeeper of the Senate the name of Mr. Jimmy Walker.

Those who voted for Mr. Walker are:

Messrs.:	Edington	Horne	Noonan
Carr	Fine	Jones	Owen
Clark	Foshee	King	Pelham
Cook	Givhan	Littleton	Pierce
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	McLain	Wilder
Dozier	Hawkins		

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Mr. Walker, having received a majority vote of the Senate, was declared duly and constitutionally elected Assistant Doorkeeper of the Senate, for the term prescribed by law.

RESOLUTIONS

Mr. McLain offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. Ratifying the proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

WHEREAS, the 92nd Congress of the United States of America at its first Session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Section 2. The Congress shall have the power to enforce this article by appropriate legislation."

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE CONCURRING, That:

1. The proposed amendment to the Constitution of the United States as herein shown be and the same is hereby ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Secretary of the Senate to the Administrator of General Services, Washington, D. C. and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

Which was read and referred to the Standing Committee on Rules.

NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

Notice is hereby given that on the next degislative day, it will be moved that Joint Rules 6 and 7 be struck, and the remaining joint rules renumbered accordingly, and that the following rule be inserted in lieu thereof:

6. All legislative documents (i.e., committee reports, interim committee reports, rules of the house and senate, supreme court advisory opinions, messages from the governor, speeches, bills or resolutions printed for study, etc.) that are to be printed shall have a legislative document number assigned by the secretary or the clerk before they may be printed, and the number, the year and the session shall clearly appear on the title page of the document.

Which was read and ordered spread upon the Journal.

NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

Notice is hereby given that on the next legislative day the following new joint rule will be proposed:

"If the Senate or the House refuses to concur in amendments to a bill made by the other house and requests a conference committee, such a committee shall be appointed in the manner prescribed herein:

(a) The President of the Senate and the Speaker of the House shall each appoint a conference committee of three members and the Secretary and the Clerk shall prepare written instructions to the committee defining the points of difference and shall immediately notify the other house of the action taken. A conference committee shall always confine its activities to reconciling the differences between the two bills and a conference report which is not so confined shall be objectionable in form.

(b) The President and the Speaker, in appointing a conference committee, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a majority vote. Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his vote on the appropriate roll call. In the House this is determined by the roll call on final passage of a Senate bill amended in the House when the Senate has refused to concur with the House amendments; or by the roll call on concurrence with Senate amendments to a House bill. In the Senate this is determined by the roll call on final passage of a House bill amended in the Senate when the House has refused to concur with the Senate amendments, or by the roll call on concurrence with House amendments to a Senate bill.

(c) The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Representative named on such committee shall act as chairman of the committee from the House. The chairman of the conference committee for the house of origin of the bill shall arrange the time and place of the meetings and shall prepare or direct the preparation of a written report. Said report must be filed with the Secretary and the Clerk not later than the end of the next legislative day after appointment of the conferees of both houses. If this report is not so made and filed then upon the close of such legislative day the committee shall be automatically dissolved. It shall require an affirmative vote of not less than two of the House members and two of the Senate members constituting the conference committee to agree upon a report. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed; provided, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a conference committee shall be appointed a member of another conference committee on the same bill.

(d) The reading and the consideration of the report of a conference committee shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call. A copy of the report shall be placed on the desk of each member at the time the report is read and shall thereafter lay over on the Secretary's or the Clerk's desk until at least the next legislative day before the question of proceeding to its consideration shall be raised.

(e) The vote on concurrence or adoption of such conference report shall be deemed the vote upon final passage of such bill. It shall require the same affirmative recorded vote to adopt any conference committee report as required by the Constitution upon the final passage of the bill affected by such report."

Which was read and ordered spread upon the Journal.

RESOLUTIONS

Mr. Dominick offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. WHEREAS it is appropriate and advisable that the

citizens of the State be knowledgeable concerning legislative matters and that they have easily available to them means of obtaining information with respect to the content and status of bills introduced in each House of the Legislature; and

WHEREAS it is incumbent upon the Legislature of Alabama to demonstrate its visibility to the electorate and to keep the general public abreast of the status of pending Legislation; and

WHEREAS a closer relationship between legislators and the citizens they represent would foster and further advance confidence, reliance and trust in this State's legislative body, and to the ultimate end that Alabama government may function more effectively; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Information Office for the purpose of supplying to any person in this State, information on request with respect to legislative matters, including the content and status of bills introduced in either House of the Legislature during any special or regular session of the Legislature. Such office shall operate only while the Legislature is in session and shall be equipped with a one-way WATS (Wide Area Telephone Service) line, which shall be made available, free of charge to anyone in Alabama desiring to call the Capitol for such information.

Such office shall be under the management and control of the Legislative Reference Service and shall be provided with adequate space, equipment, supplies and telephones and shall be staffed by no more than two clerical employees. All expenses of the office shall be paid out of any available funds appropriated for the use of the Legislature.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 4. Relative to Joint Session of the House and Senate.

The Speaker of the House named as a Committee on the part of the House Messrs. Hobbie, Carter and Gloor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 3. Relative to notifying the Governor the Legislature is in session and ready for the transaction of business.

The Speaker of the House named as a committee on the part of the House Messrs. Hobbie, Carter and Gloor.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. Proclaiming the month of May as Senior Citizens Month.

Which was read and ordered to lay over on the Secretary's desk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 5. Authorizing the Lieutenant Governor to increase his staff.

On motion of Mr. Foshee, said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 2. Relative to adjournment of the two Houses until May 25, 1971, without pay.

On motion of Mr. Cook, said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 1. Requesting the President of the United States and the Postmaster General to cause to be issued a postage stamp commemorating the Statue of Vulcan.

On motion of Mr. Hawkins, said Resolution was then adopted by the Senate.

RECESS

At 2:25 P. M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate took a recess until completion of the Joint Session this evening.

JOINT SESSION

At 6:30 o'clock P. M., in accordance with Joint Resolution heretofore adopted, the Senate assembled in the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor, Honorable George C. Wallace.

The Session was called to order by Lieutenant Governor Beasley, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George C. Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

(See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, the Senate returned to its Chambers.

NIGHT SESSION

FIRST LEGISLATIVE DAY

TUESDAY, MAY 4, 1971

The Senate re-assembled in the Senate Chamber and was called to order by Lieutenant Governor Beasley.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	Owen	

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INTRODUCTION OF BILLS RESUMED

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lybrand:

S. 122. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

Committee on Banking.

By Mr. Lybrand:

S. 123. To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

Committee on Insurance.

By Mr. Lybrand:

S. 124. Relating to private passenger automobiles; defining "private passenger automobile," creating a manufacturer's warranty as to standards of safety concerning the ability to sustain shock; providing, in lieu of the warranty, certification by the manufacturer of compliance with the energy absorption standards provided; providing an effective date.

Committee on Insurance.

By Mr. Lybrand:

S. 125. To amend Section 1 of Act No. 193, H. 182, 1963 Regular Session, p. 582, so as to provide for amount of license payable by motor vehicle operators.

Committee on Insurance.

By Mr. Lybrand:

S. 126. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Committee on Insurance.

By Mr. Lybrand:

S. 127. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; and repealing Act No. 542, H. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Committee on Insurance.

By Mr. Lybrand:

S. 128. Relating to motor vehicles; to authorize, provide for, and require registration and certification of titles to and ownership of and security interests in motor vehicles, providing for administration and enforcement of the act by the Director and Department of Public Safety, and providing for the collection of fees and the imposition of penalties.

Committee on Insurance.

By Messrs. Malone, Shelby and Fine:

S. 129. Relating to unemployment compensation; amending Title 26, Section 213, Code of Alabama 1940, as amended, so as to eliminate the waiting period as a condition of eligibility for benefits.

Committee on Business and Labor.

By Messrs. Owen, Malone, Branyon, Foshee, Pelham, Givhan, Harris, Hammond, Littleton, Shelby, Hawkins, Lybrand, Cook, Weaver, Dozier, Noonan, Gilmore, McLain, Jones, Horne, Wilson, King, Vacca and Wilder:

S. 130. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Committee on Agriculture.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Owen, Malone, Branyon, Foshee, Pelham, Givhan, Harris, Hammond, Littleton, Shelby, Hawkins, Cook, Weaver, Dozier, Noonan, Jones, Gilmore, Horne, McLain, King, Wilson, Vacca, Wilder and Lybrand:

S. 131. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Committee on Agriculture.

By Mr. Shelby:

S. 132. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. Subpoenas requiring the attendance of witnesses in any civil, criminal, equity, or other case or proceeding in Tuscaloosa County,

or before the grand jury of Tuscaloosa County may be served by the sheriff of Tuscaloosa County or constable personally or be leaving a copy thereof at the place of residence of the witness or in the discretion of the said sheriff of Tuscaloosa County the sheriff may serve the same by placing a copy thereof in the United States mail, enclosing the subpoena in an envelope properly stamped and addressed to the person or witness to be served. Upon service by the sheriff upon any witness or person by any one of the foregoing methods, the sheriff shall immediately mark the process executed. If the subpoena so mailed is not delivered to the addressee but is returned to the sheriff by the United States post office department then the sheriff shall immediately make a diligent effort to serve the subpoena either personally or by leaving a copy thereof at the place of residence of the witness.

Section 2. Anything to the contrary notwithstanding in Section 1 above any judge having jurisdiction of the proceeding, or case may on motion of any party or on the Court's own motion order any particular subpoena or the subpoenas in any case or proceeding to be served personally or by leaving a copy thereof at the place of residence of the said witness or person or by United States registered or certified mail.

Section 3. Whenever a subpoena requiring the attendance of a person or witness in any case or proceeding in Tuscaloosa County is required pursuant to this Act to be served personally on the witness or by leaving a copy thereof at the place of residence of the witness, any law to the contrary notwithstanding, the sheriff of Tuscaloosa County shall be entitled to collect as costs of court ten cents per mile for each mile traveled in serving the same.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 26, April 2, April 9 and April 16, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me April 16th, 1971.

LaJUNE BURNETT,
Notary Public.

RESOLUTION

Mr. King offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. WHEREAS, the 92nd Congress of the United States of America at its first Session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

"JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislature of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Section 2. The Congress shall have the power to enforce this article by appropriate legislation.",

now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That such proposed amendment to the Constitution of the United States of America be and the same is hereby ratified; and,

BE IT FURTHER RESOLVED, That certified copies of this Resolution be forwarded by the Governor of Alabama to the Administrator of General Services, Washington, D. C., and the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

Which was read and referred to the Standing Committee on Rules.

INTERIM COMMITTEE REPORT FILED

The report of the Joint Interim Insurance Committee, created under the provisions of H. J. R. 30, Organizational Session, 1971, was submitted by the Chairman, Mr. Lybrand, and ordered filed with the Secretary.

ADJOURNMENT

At 7:30 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Tuesday, May 25, 1971, at 1 o'clock P. M.

SECOND LEGISLATIVE DAY

TUESDAY, MAY 25, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Honorable Tom King, Senator of the 12th Senatorial District.

ROLL CALL

Present:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Fine	Jones	Owen	Wilson

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JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leaves of absence were granted Messrs. Carr, Dominick, Edington and Lindsey for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 133. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. McLain and Pierce:

S. 134. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Committee on Municipal Government.

By Messrs. McLain and Pierce:

S. 135. To permit and authorize incorporated municipalities to establish zoning districts, to zone, and to exercise zoning authority in their police jurisdictions in the same manner and under the same procedures as such municipalities are now authorized to do under the provisions of Articles 1 and 2 of Title 37, Code of Alabama, 1940, as amended.

Committee on Municipal Government.

By Mr. McLain:

S. 136. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Committee on Municipal Government.

By Mr. McLain:

S. 137. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Committee on Municipal Government.

By Mr. McLain:

S. 138. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Committee on Municipal Government.

By Mr. McLain:

S. 139. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

Committee on Municipal Government.

By Mr. McLain:

S. 140. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

Committee on Municipal Government.

By Mr. McLain:

S. 141. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961, p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

Committee on Municipal Government.

By Mr. McLain:

S. 142. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Committee on Municipal Government.

By Mr. McLain:

S. 143. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Committee on Municipal Government.

By Mr. McLain:

S. 144. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Committee on Municipal Government.

By Mr. McLain:

S. 145. To provide for the control and prevention of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdiction, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions

created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State; and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Committee on Health.

By Mr. McLain:

S. 146. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

Committee on Banking.

By Mr. McLain:

S. 147. To provide a state scholarship program to promote the education of nurses at the Division of Nursing, University of Alabama, Huntsville, Alabama; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. McLain:

S. 148. To authorize the formation of professional corporations for the purpose of rendering professional services; to prescribe the manner of organization of such corporations; to limit the purposes of the organization of such corporations; to limit membership in or shareholders of such corporations to persons so licensed to practice in the State of Alabama; to regulate the naming of such corporations; to regulate the issuance of stock in such corporations; to regulate the rendering of professional services furnished by such corporations; to preserve professional relationships and regulations; to prohibit certain acts; to provide for severance of interests in such corporations; to provide for the death or disqualification of shareholders; to require the submission of annual certificates and reports; and to limit mergers or consolidations.

Committee on Judiciary.

By Mr. Wilson:

S. 149. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

Committee on Judiciary.

By Mr. Malone:

S. 150. Relating to Etowah County; to provide for the reorganization of the county board of education.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:—Malone

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; to provide for the reorganization of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Etowah County as presently constituted is hereby abolished and there is created in lieu thereof a county board of education composed of seven members who shall be elected by the qualified electors of the county at large. A member shall be elected from each of the following school districts:

District 1, Gaston High and Gaston Elementary School Districts;

District 2, Glencoe High and Glencoe Elementary School Districts;

District 3, Southside High and John Jones Elementary School Districts;

District 4, West End High and West End Elementary School Districts;

District 5, Sardis High, Whitesboro Elementary and Carlisle Elementary School Districts;

District 6, Etowah High and Highland Elementary, Duck Springs Elementary and Ivalee Elementary School Districts; and

District 7, Hokes Bluff and Hokes Bluff Elementary School Districts.

Members shall have the qualifications prescribed in Code of Alabama 1940 Title 52, Section 63 and shall be a resident of the district he represents at the time of his election and during his continuance in office.

Section 2. Boundaries of the school districts shall be established by the county board of education. The board may increase or decrease the number of districts provided for herein. In event the number of school districts are increased the number of board members shall be increased and in the event the number of school districts are decreased the number of board members shall be decreased. The board of education shall at all times be composed of one member from each school district.

Section 3. Any person who wishes to qualify as a candidate for membership on the board of education must first furnish proof to the county superintendent of education of his residency in the district he wishes to represent. If the superintendent deems the proof sufficient he shall sign an affidavit to the effect that such person is a resident of said district. No person shall be qualified as a candidate until he has submitted such an affidavit to the judge or probate.

Section 4. Members of the board of education serving when this act becomes effective shall serve out the terms for which they have

been elected. Successors to such members shall be elected for terms of six years or until their successors are elected and qualified. Members from Districts 1, 2 and 3 shall be elected at general election in 1972. Members from Districts 4 and 5 shall be elected at the general election in 1974 and the members from District 6 and 7 shall be elected at the general election in 1976. In the event the number of school districts are decreased the member who's district is abolished shall serve until the expiration of his term. In event the number of school districts are increased a member representing the additional district shall be elected at the first general election after such district is established.

Section 5. The members of the board shall qualify by taking and subscribing to the oath of office prescribed by article XVI of the Constitution. If a vacancy occurs in the membership of the board it shall be filled as provided in Code of Alabama 1940, Title 52, Section 64. The members of the board shall elect a president and a vice-president from among their own number as provided in Code 1940, Title 52, Section 67.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Dorothy Mince, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Advertising Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, 10, and 17, all in the year 1971.

MRS. DOROTHY MINCE.

Sworn to and subscribed before me May 18, 1971.

WALTER BETZ,
Notary Public.

By Mr. Malone:

S. 151. To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:—Malone

A BILL
TO BE ENTITLED
AN ACT

To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established the Etowah County Solid Waste and Park and Recreation Authority, which shall be composed of the chairman of the Etowah County Commission or other like governing body, the Etowah County Health Officer, or his administrative assistant, and the state Senator from Etowah County. The members of said Authority shall serve without compensation except that they shall be reimbursed for actual expenses incurred in the performance of their duties.

Section 2. The Authority is hereby authorized to employ a County Supervisor, who shall be the executive officer of the Authority, and whose salary shall be fixed by the Authority. Said County Supervisor shall serve at the pleasure of the Authority.

Section 3. The county commission or other like governing body of Etowah County is hereby directed to appropriate \$150,000 from the general revenues of the county for the first fiscal year in which the Authority is in operation, and \$100,000 from said fund for the second fiscal year of its operation; thereafter, the County Commission or like Governing Body of Etowah County is authorized and empowered to appropriate such sums of money as may be necessary for the operation of the Authority.

Section 4. The Etowah County Solid Waste and Park and Recreation Authority shall be responsible for the collection and disposal of solid wastes in all areas of the county where a similar service is not provided. The Authority shall also be responsible for the organization, planning and development of a series of county parks and recreational facilities in suitable locations, where municipal facilities are limited or unavailable. The Authority is hereby authorized to purchase lands, equipment, and supplies, and is authorized to hire any employees necessary to carry out the duties and functions of the board as herein provided.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Dorothy Mince, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Advertising Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, 10, and 17, all in the year 1971.

MRS. DOROTHY MINCE.

Sworn to and subscribed before me May 18, 1971.

WALTER BETZ,
Notary Public.

By Mr. Malone:

S. 152. To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:—Malone.

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 13 of Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), as amended, is amended further to read as follows:

"Section 13. Except as otherwise provided in this act each member who has been or who hereafter is retired shall receive a retirement benefit equal to fifth per centum of the current salary being paid to persons holding the same rank as such retired member held at the time of his retirement; provided, that the member at the time of his retirement shall have held the same rank or position during

the one year (12 months) next preceding his retirement; and provided, further, that if the member has held the rank or position at which he retires for a period less than one year (12 months) just before his retirement, that his retirement benefit shall equal fifty per centum of the average monthly salary applicable to the particular position or positions, and rank or ranks held by the members during the one year preceding retirement. Provided nothing herein relative to length of service shall apply to a member of the police or fire department who has been, or who hereafter is retired by reason of his disability and such member shall receive fifty per centum of the current salary being paid to persons holding the same rank as such person held at the time of his retirement."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. This act is retroactive to October 1, 1970.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Dorothy Mince, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Advertising Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, 10, and 17, all in the year 1971.

MRS. DOROTHY MINCE.

Sworn to and subscribed before me May 18, 1971.

WALTER BETZ,
Notary Public.

By Mr. Malone:

S. 153. To alter or rearrange the boundary lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:—Malone.

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundry lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits

of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundry lines of the Town of Sardis City, Etowah County, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in the Town of Mountainboro, Etowah County, Alabama as herein - below set out, all of which territory lying within the County of Etowah, State of Alabama, and said additional territory being particularly described as follows, to-wit:

Begin at the Southeast corner of Lot No. 12 of McCleskey Home Sites Subdivision as recorded in the Office of the Judge of Probate Plat Book "F", Page 353, said point also being on the West right of way line of U. S. Highway 431; and is a point on the corporate limits of Sardis City thence in an easterly direction and in a direct line as if the South line of said Lot 12 were extended to a point where said projected line intersects the East right of way line of U. S. 431; thence in a southeasterly direction and along the easterly right of way line of said U. S. 431 to a point on the South line of Fraction 3, Section 20, said point also being the Southwest corner of Lot No. 1 of said McCleskey Home Sites, thence in an easterly direction and along the South line of said Fraction 3 and the South line of said Lot 1 and the South line of Fraction No. 2, Section 20 to a point on the South line of said Fraction 2, said point being 500 feet East of and at right angles to the centerline of said U. S. 431; thence in a northwesterly direction 500 feet East of and parallel to the centerline of said U. S. 431 to a point on the North line of Fraction 13, Section 17, said point being 500 feet East of and at right angles to the centerline of said U. S. 431 which is also a point on the present corporate limits of Sardis City; thence in a westerly direction and along the North line of said Fraction 13 and the North line of Fraction 12, Section 17 and along the present corporate limits of Sardis City to a point on the West right of way line of said U. S. 431; thence in a southeasterly direction and along the westerly right of way line of said U. S. 431 and along the present Sardis City corporate limits to the Southeast corner of said Lot 12 McCleskey Home Sites which is the point of beginning. Said described land being a portion of Fractions 2 and 3 of Section 20, and Fractions 12 and 13 of Section 17, all in Township 10 South, Range 5 East of the Huntsville Meridian in Etowah County, Alabama.

Section 2. That the parcels of land set out in Section 1 of this Act be and the same are hereby included and embraced within the boundary of the Town of Sardis City and shall be and constitute a part of the Town of Sardis City, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special, and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Dorothy Mince, who, being

by me first duly sworn, deposes and says that during the times herein mentioned she was Advertising Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, 10, and 17, all in the year 1971.

MRS. DOROTHY MINCE.

Sworn to and subscribed before me May 18, 1971.

WALTER BETZ,
Notary Public.

By Messrs. Branyon and Foshee:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

Committee on Finance and Taxation.

By Messrs. Vacca, Cook, Bailes, Gilmore, Hawkins and King:

S. 155. Regulating further the registration and licensing of motor vehicles: to require all motor vehicles operated in Alabama to be registered and annually to be licensed and to have attached thereto one registration plate with a tab or other device indicating the payment of the license tax for the current year; to convert vehicle license tags and the numbers thereon issued for the fiscal year beginning October 1, 1972, into the registration number and plate hereby required of the licensee; to provide for and regulate the issuance and use of registration plates and annual license tabs or other such devices; to prescribe penalties for violations of this Act; to amend Sections 693, 704, 705, 708 and 712 of Title 51, Code of Alabama 1940, to conform to this Act; and to repeal Section 706 of said Title 51 and Act No. 35, H. 34, approved May 28, 1945 (Acts of 1945, p. 42), and other laws in conflict herewith.

Committee on Judiciary.

By Mr. Vacca:

S. 156. To amend Sections 8 and 9 of Act No. 1117 enacted at the 1969 Regular Session of the Legislature of Alabama so as to provide that bonds of environmental improvement authorities organized under said act may be payable out of revenues from the leasing or sale of any of their equipment, plants, apparatus or systems (as well as from revenue derived from the operation thereof), to provide that such authorities may, without regard to Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama or any other similar law, enter into contracts for the acquisition, purchase, installation or construction of any equipment, plants, apparatus or systems and may appoint, employ, contract with and provide for the compensation of officers, employees and agents, and to provide that, in the case of moneys derived from the sale of revenue bonds issued by any such environmental improvement authority, funds of such authority may be paid to persons making appropriate studies, surveys, arrangements, undertakings and construction designs and plans and supervision irrespective of whether they were directly employed by such authority or are answerable to any other person.

Committee on Finance and Taxation.

By Messrs. Dominick and Bailes:

S. 157. Relating to certain contracts for the printing and publication of the acts and journals of the legislature, prescribing further regulations and imposing additional duties upon certain state officers with respect thereto; amending Section 117 of Title 55, Code of Alabama 1940 and Sections 6 and 10 of Act No. 27, S. 30, Regular Session 1949 (Acts 1949, p. 35), all appearing in Code of Alabama, Recompiled 1958 as Sections 117, 133 (1) and 143 (1), respectively.

Committee on Judiciary.

By Messrs. Bailes and King:

S. 158. Relating to state government; to create the office of ombudsman; to provide for the selection of an ombudsman; to prescribe his qualifications, term, powers, and duties; to make certain acts unlawful; to provide a penalty; and to make an appropriation.

Committee on Judiciary.

By Messrs. Dominick, Bailes, Hawkins, Cook, King, Vacca and Gilmore:

S. 159. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. King:

S. 160. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney

to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the First Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy District Attorney the same will make the total annual salary of each such First Deputy District Attorney Nineteen Thousand Five Hundred (\$19,500.00) Dollars.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Second Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Second Deputy District Attorney the same will make the total annual salary of each such Second Deputy District Attorney Eighteen Thousand Dollars (18,000.00) Dollars.

Section 3. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Third Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Third Deputy District Attorney the same will make the total annual salary of each such Third Deputy District Attorney Sixteen Thousand Five Hundred (\$16,500.00) Dollars.

Section 4. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fourth Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fourth Deputy District Attorney the same will make the total annual salary of each such Fourth Deputy District Attorney Fifteen Thousand Five Hundred (\$15,500.00) Dollars.

Section 5. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fifth Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fifth Deputy District Attorney the same will make the total annual salary of each such Fifth Deputy District Attorney Fifteen Thousand Five Hundred (15,500.00) Dollars.

Section 6. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any

succeeding decennial federal census there shall be paid to the Sixth Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Sixth Deputy District Attorney the same will make the total annual salary of each such Sixth Deputy District Attorney Fourteen Thousand (\$14,000.00) Dollars.

Section 7. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Seventh Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Seventh Deputy District Attorney the same will make the total annual salary of each such Seventh Deputy District Attorney Twelve Thousand Five Hundred (\$12,500.00) Dollars.

Section 8. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Eighth Deputy District Attorney of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Eighth Deputy District Attorney the same will make the total annual salary of each such Eighth Deputy District Attorney Twelve Thousand Five Hundred (\$12,500.00) Dollars.

Section 9. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy District Attorney, appointed by the District Attorney to serve in any inferior criminal court, county criminal court or county misdemeanor court of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy District Attorney the same will make the total annual salary of each such Deputy District Attorney Fifteen Thousand Five Hundred (\$15,500.00) Dollars.

Section 10. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, Eleven Thousand Five Hundred (\$11,500.00) Dollars.

Section 11. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court of said county, or court created in lieu thereof of each said county from the general treasury of the county in equal bi-weekly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy District Attorney the same will make the total annual salary of each such Deputy District Attorney Fifteen Thousand (\$15,000.00) Dollars.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 23, 30, February 6, 13, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 15th day of February 1971.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. King, Hammond, Lybrand, Shelby, Littleton, Horne, Bailes, Hawkins, Wilder, Cooper, Branyon, Vacca, Clark, Gilmore, Pelham, Noonan, Wilson, Weaver, Jones, Harris, Owen and O'Bannon:

S. 161. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances, or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable

the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

Committee on Municipal Government.

By Mr. Givhan:

S. 162. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Committee on Finance and Taxation.

By Messrs. Givhan, Owen and Hammond:

S. 163. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

Committee on Agriculture.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Givhan, Owen and Hammond:

S. 164. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

Committee on Agriculture.

By Mr. Givhan:

S. 165. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 166. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 167. Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Wilcox County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff and deposited in the county general fund. And it shall be used in such amounts as may be determined by the Courts of County Commissioners, Board of Revenue, or other like governing body of the county.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 22, April 29, May 6, and May 13, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me May 14, 1971.

GLEND A. CURL,
Notary Public.

By Messrs. Cooper, Hammond, Branyon, Pierce, Hawkins, Foshee, Horne, Givhan, McLain, Lybrand, Littleton, Malone, Wilder, Owen and Bailes:

S. 168. To regulate further arrests at the scene of a traffic accident; to authorize certain uniformed law enforcement officers to make arrests at such scenes without a warrant under certain conditions and circumstances.

Committee on Judiciary.

By Messrs. Cooper and Owen:

S. 169. To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

Committee on Judiciary.

By Mr. Cooper:

S. 170. Relating to motor vehicles; further regulating the operation of vehicles upon the highways; prohibiting the operation thereon of unsafe vehicles; authorizing the director of public safety to provide for the making of inspections and tests of motor vehicles to detect defective equipment or other violation of laws governing the use of public highways by motor vehicles and the owners and operators of such vehicles; requiring drivers or operators of motor vehicles, when directed by a police officer to do so, to stop their vehicles and submit them to the inspection and tests hereby authorized; and to prescribe penalties.

Committee on Judiciary.

By Mr. Cooper:

S. 171. Authorizing consent to legally authorized medical, dental and health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

Committee on Health.

By Mr. Cooper:

S. 172. To amend Section 270 of Title 22 of the Code of Alabama 1940, Recompiled 1958 to provide for medical treatment of minors with venereal disease.

Committee on Health.

By Mr. Cooper:

S. 173. To amend Section 8 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 615), an act relating to the practice of chiropractic so as to delete certain subjects required for examination and add other subjects upon which applicants shall be required to take a written examination.

Committee on Health.

By Messrs. Pierce and Jones:

S. 174. To amend Act Number 657, Regular Session Alabama Legislature, 1965, pertaining to the appointment of deputy district attorneys for the Fifteenth Judicial Circuit of Alabama and their salaries.

Committee on Finance and Taxation.

By Mr. Clark:

S. 175. To amend Section 1 of Act No. 502, S. 56, Regular Session 1967, (Acts 1967, Vol. II p. 1215), which relates to the assessment rate of all taxable property within this state.

Committee on Finance and Taxation.

By Mr. Clark:

S. 176. To require physicians and surgeons to report judgments or settlements annually to the State Board of Medical Examiners, and requiring said Board to keep records of all reported judgments and settlements, and take necessary disciplinary action.

Committee on Health.

By Mr. Clark:

S. 177. Declaring privileged the decisions, opinions, actions and proceedings of committees of physicians and surgeons formed or appointed as Utilization Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

Committee on Health.

By Mr. Clark:

S. 178. To authorize the Secretary-Treasurer of the Employees Retirement System to withhold from the retirement pay of any retired State employee the premium on any hospitalization or health group insurance plan.

Committee on Finance and Taxation.

By Mr. Clark:

S. 179. To appropriate from any funds not otherwise appropriated the sum of Four Hundred Dollars (\$400.00) to pay printing expenses of the Senate incurred in fiscal year ending September 30, 1969.

Committee on Finance and Taxation.

By Mr. Clark:

S. 180. To provide for payment of travel expenses of members of the Legislature when traveling within the State of Alabama on business of the Legislature or any of its committees, sub-committees or legislative departments.

Committee on Finance and Taxation.

By Mr. Edington:

S. 181. To amend Section 374 of Title 51 of the Code of Alabama, (1940), as amended, so as to exempt from income tax the retirement benefits or allowances paid to persons honorably discharged from the armed forces of the United States.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 182. To provide for the control and prevention of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdic-

tion, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State; and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Committee on Business and Labor.

By Mr. Harris:

S. 183. Setting forth the right and time of appeal from revocation of a certificate of qualification issued under Article 3, Title 46, Code of Alabama, 1940, recompiled 1958, and specifically repealing sections 283 and 284 of Title 46.

Committee on Health.

By Mr. Harris:

S. 184. To require professional liability insurance carriers to make annual reports of certain information to the Insurance Commissioner.

Committee on Insurance.

By Messrs. Vacca and King:

S. 185. To amend further Section 587, Title 37, Code of Alabama 1940, as amended, relating to appeals from recorder's courts.

Committee on Judiciary.

By Messrs. Vacca and King:

S. 186. To amend Section 455, Title 37, Code of Alabama 1940, relating to the powers of municipal corporations to adopt and enforce ordinances.

Committee on Municipal Government.

By Messrs. Vacca and King:

S. 187. To amend Section 586, Title 37, Code of Alabama 1940, providing for the authority of a Municipal Recorder to fine, punish, imprison, and sentence to hard labor, so as to authorize fines not in excess of two hundred dollars (\$200.00), and to extend the time of payment to ninety days (90) upon confession of judgment.

Committee on Municipal Government.

By Mr. Hammond:

S. 188. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

Committee on Finance and Taxation.

By Mr. Weaver:

S. 189. To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 190. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 191. Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 2. Pertaining to a joint session of the two Houses for the purpose of receiving the Governor's message.

Also:

H. J. R. 4. Concerning printing and binding the acts of the House and Senate of the Organizational Session of 1971, the First Special Session of 1971 with the acts of the House and Senate for the Regular Session of 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. O'Daniel:

H. J. R. 8. MOURNING THE DEATH OF MR. W. L. HOLLOWAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 8, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. Relative to a postage stamp bearing the likeness of the statue of Vulcan, as it appears on Red Mountain in Birmingham.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

The Resolutions:

H. J. R. 13. Congratulating Representative and Mrs. Tom Gloor on their silver anniversary.

Also:

S. J. R. 10. Proclaiming the month of May as Senior Citizens Month.

were again read and, on motion of Mr. Bailes, were adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 15. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today they adjourn to meet again on Tuesday, May 18th, 1971, at 12 o'clock M.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 15, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

COMMUNICATION

The following Communication from the Director of the Department of Archives and History was received:

May 5, 1971

The Honorable McDowell Lee
Secretary of the Senate
State Capitol
Montgomery, Alabama

My dear Mr. Lee:

At the annual meeting of the Board of Trustees of the Archives and History Department held on November 7, 1969, the following Trustees were elected:

Mr. Robert E. Steiner, III, Second District

Mr. James B. Striplin, Fourth District

Judge Robert B. Harwood, Fifth District

I respectfully request that the election of these Trustees be confirmed by the Senate of the State of Alabama.

Yours very truly,

MILO B. HOWARD, JR.,
Director.

And was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 2. Relative to the adjournment of the two houses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Pelham moved that the Senate non-concur in the following House amendment to the Resolution, S. J. R. 2, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. J. R. 2

Amend S. J. R. 2 by adding at the end thereof the following words: "for the members of the Senate".

and request a Committee on Conference.

Mr. Fine moved as a substitute motion that the Senate non-concur in said House amendment to the Resolution, S. J. R. 2, which motion was lost.

The question then recurred on the motion of Mr. Pelham which was adopted, and the Senate non-concurred in the House amendment to the Resolution, S. J. R. 2, and requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Pelham, Fine and Gilmore.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie, Taylor, Harris, Straiton and Jones (F):

H. J. R. 17. RESOLUTION COMMENDING MR. GROVER C. HALL AND WISHING HIM AN EARLY RECOVERY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 17, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

RESOLUTIONS

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. WHEREAS, There lies ahead for the Legislature an enormous workload, with many critical and difficult problems to be solved; and

WHEREAS, Every effort should be made to minimize confusion and encourage an orderly legislative session in both houses; and

WHEREAS, Pre-arranged scheduling of legislative days would enable members of the Legislature to order their activities more effectively during the summer and give their maximum effort towards producing sound legislation; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That both houses thereof shall agree that, beginning today, May 25, 1971, they shall meet on Tuesdays and Thursdays only, leaving the remaining days free for committee work.

Which was read and referred to the Standing Committee on Rules.

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. NAMING SENATE BILL 66 OF THE 1971 SPECIAL SESSION THE "HARRIS HIGHWAY BUDGETING ACT."

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING, That the bill, S. B. 66 which was passed by both Houses in the 1971 Special Session, be designated and known as the "Harris Highway Budgeting Act."

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MOTIONS IN WRITING

On request of Mr. Dominick, Mr. Bailes offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"In accordance with the notice in writing filed on the last legislative day, I now move that Joint Rules 6 and 7 be struck, and the remaining joint rules renumbered accordingly, and that the following rule be inserted in lieu thereof:

"6. All legislative documents (i.e., committee reports, interim committee reports, rules of the house and senate, supreme court advisory opinions, messages from the governor, speeches, bills or resolutions printed for study, etc.) that are to be printed shall have a legislative document number assigned by the secretary or the clerk before they may be printed, and the number, the year and the session shall clearly appear on the title page of the document."

Which was read and referred to the Standing Committee on Rules.

On request of Mr. Dominick, Mr. Bailes offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"In accordance with the notice in writing filed on the last legislative day, I now move that the following Joint Rule be added, to read as follows:

"If the Senate or the House refuses to concur in amendments to a bill made by the other house and requests a conference committee, such a committee shall be appointed in the manner prescribed herein:

"(a) The President of the Senate and the Speaker of the House shall each appoint a conference committee of three members and the Secretary and the Clerk shall prepare written instructions to the committee defining the points of difference and shall immediately notify the other house of the action taken. A conference committee shall always confine its activities to reconciling the differences between the two bills and a conference report which is not so confined shall be objectionable in form.

"(b) The President and the Speaker, in appointing a conference committee, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote. Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his vote on the appropriate roll call. In the House this is determined by the roll call on final passage of a Senate bill amended in the House when the Senate has refused to concur with the House amendments; or by the roll call on concurrence with Senate amendments to a House bill. In the Senate this is determined by the roll call on final passage of a House bill amended in the Senate when the House has refused to concur with the Senate amendments, or by the roll call on concurrence with House amendments to a Senate bill.

"(c) The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Representative named on such committee shall act as chairman of the committee from the House. The chairman of the conference committee for the house of origin of the bill shall arrange the time and place of the meetings and shall prepare or direct the preparation of a written report. Said report must be filed with the Secretary and the Clerk not later than the end of the next legislative day after appointment of the conferees of both houses. If this report is not so made and filed then upon the close of such legislative day the committee shall be automatically dissolved. It shall require an affirmative vote of not less than two of the House members and two of the Senate members constituting the conference committee to agree upon a report. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed; provided, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a conference committee shall be appointed a member of another conference committee on the same bill.

"(d) The reading and the consideration of the report of a conference committee shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call. A copy of the report shall be placed on the desk of each member at the time the report is read and shall thereafter lay over on the Secretary's or

the Clerk's desk until at least the next legislative day before the question of proceeding to its consideration shall be raised.

“(e) The vote on concurrence or adoption of such conference report shall be deemed the vote upon final passage of such bill. It shall require the same affirmative recorded vote to adopt any conference committee report as required by the Constitution upon the final passage of the bill affected by such report.”

Which was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Messrs. King, Bailes, Hawkins, Cook, Gilmore and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. Condolences in the death of S. Buford Word, M. D.

Which was read and ordered to lay over on the Secretary's desk until the next legislative day.

Messrs. King, Bailes, Cook, Gilmore, Vacca and Pelham offered the following Senate Resolution, to-wit:

S. R. 15. WHEREAS, the State Senate is the deliberative body of the legislative branch of the State of Alabama; and

WHEREAS, the Senate of Alabama is composed of gentlemen of distinction, honor, integrity, and high moral character; and

WHEREAS, profound responsibilities are reposed in the membership of such body; and

WHEREAS, such responsibilities create legitimate conflicts in views and positions among the members of such body; and

WHEREAS, such conflicts are in the very nature of the legislative process; and

WHEREAS, such conflicts, to which is added the pressures of handling matters of vital import to our State, render it humanly difficult to remain internally serene and tranquil; and

WHEREAS, loss of serenity and tranquility, even in, if indeed not in gentlemen of distinction, honor, integrity, and high moral character, in particular, brings on emotional outbursts at irregular intervals, including profane speech; and

WHEREAS, such verbalization of profane or slang speech on the Senate floor is not in keeping with the rich history and tradition of the Alabama State Senate; and

WHEREAS, unclean speech tends to pollute the mind, if not the air and water;

BE IT RESOLVED by the Senate of Alabama, That it is the sense of this body that clean speech, compatible with that which shall be used by gentlemen of distinction, honor, integrity, and high moral character, shall be used at all times on the floor of the Senate.

BE IT FURTHER RESOLVED That this Resolution shall be cited as the “Clean Speech Resolution of 1971.”

Which was read and referred to the Standing Committee on Rules.

ADJOURNMENT

At 5:18 P. M., Mr. Pelham moved that the Senate adjourn until Thursday, May 27, 1971, at 11 o'clock A. M.

Mr. McLain moved as a substitute motion that the Senate adjourn until Thursday, May 27, 1971, at 12 o'clock Noon, which motion was adopted, and at 5:19 P. M., the Senate adjourned until Thursday, May 27, 1971, at 12 o'clock Noon.

THIRD LEGISLATIVE DAY

THURSDAY, MAY 27, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend A. F. Howington, Pastor, Capitol Heights United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

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JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 1. Urging the issuance of a Vulcan postage stamp.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 192. Proposing an amendment to the Constitution relating to the manner of amending the Constitution.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 193. Proposing an amendment to the Constitution relating to suffrage and elections.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 194. Proposing an amendment to the Constitution relating to procedure for enacting local laws.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 195. Proposing an amendment to the Constitution relating to county debt limitation.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 196. Proposing an amendment to the Constitution relating to the Legislative Department.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 197. Proposing an amendment to the Constitution relating to method of changing the basis of compensating County officials.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 198. Proposing an amendment to the Constitution relating to taxation and debt limitation.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 199. Proposing an amendment to the Constitution relating to general obligation indebtedness of counties and municipalities for industrial development.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 200. Proposed amendment of the Constitution eliminating election requirements for small bond issues of counties and municipalities.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. O'Bannon:

S. 201. Proposing an amendment to the Constitution relating to local government.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. O'Bannon and Pelham:

S. 202. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Committee on Business and Labor.

By Mr. Hammond:

S. 203. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations by extending such exemptions to The Elks Memorial Center For The Handicapped.

Committee on Finance and Taxation.

By Mr. Fine:

S. 204. To amend further Act No. 382, H. 834, Regular Session 1955 (Acts 1955, p. 916), which provides for the movement of certain oversized vehicles over the public highways of the state, so as to regulate further the width of house trailers that may be moved over such highways.

Committee on Judiciary.

By Mr. Fine:

S. 205. Relating to counties having populations of not less than 23,900 and not more than 24,450; to require a deposit on court costs in civil cases in intermediate courts in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 206. To authorize state, county and municipal employees to organize for collective bargaining purposes; to allow the state, counties, municipalities and their agents to recognize employee organizations and designated bargaining units, and to negotiate with such bargaining units as to certain working conditions; to provide for designation and composition of the bargaining units by the State Department of Labor; to provide for arbitration of disputed matters; to prohibit the right to strike; and to repeal conflicting laws.

Committee on Business and Labor.

By Messrs. Shelby, Horne, Vacca, Weaver, Hammond, Littleton, Cook, Hawkins, Fine and Wilson:

S. 207. To amend Act No. 229, enacted by the Regular Session, 1967, of the Legislature of Alabama: and being an Act relating to firemen; stating public policy as to firefighters, municipalities, and the rights of each, and the settlement of employment problems and disputes; establishing a method of arbitration between firefighters and municipalities in the State of Alabama; prohibiting paid firemen from striking, engaging in work stoppage or slowdowns; defining terms; providing for mandatory and binding collective bargaining; providing for recognition of bargaining agent; making it mandatory for municipality to bargain in good faith; providing that unresolved issues be submitted to binding arbitration; providing for arbitration board; providing for hearings; prescribing factors to be considered by arbitration board; providing for fees and expenses of arbitration; providing for collective bargaining agreement; providing for request for collective bargaining; making it unlawful for collective bargaining representative or member of paid fire department to strike, engage in work stoppage or slowdown; making it unlawful for city authorities to fail to bargain in good faith or to abide by binding decision of arbitration board; prescribing penalties; providing for composition and method of operation of arbitration board and granting subpoena powers to board of arbitrators; providing method of reviewing by certiorari the proceedings,

manner and method that arbitration hearing was conducted for purpose only of determining that the requirements of this Act were fulfilled and followed; and making provisions of act severable.

Committee on Business and Labor.

By Mr. Dominick:

S. 208. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Dominick:

S. 209. To authorize and empower the Supreme Court of Alabama to adopt new and improved rules applicable to the civil jurisdiction of the courts of Alabama and to make future changes therein; to declare the effect of existing statutes relating to pleading, practice and procedure in civil actions, and to repeal hitherto controlling statutes and rules; to provide a committee of the Bar of the Supreme Court to advise the Court in such labor; and further regulating publication of said new rules before adoption.

Committee on Judiciary.

By Mr. Littleton:

S. 210. To allow certain County Engineers, who have heretofore participated in the Employee Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

Committee on County Government.

By Mr. Pierce:

S. 211. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

Committee on Judiciary.

By Messrs. Clark, Wilder, Branyon, Dozier and Givhan:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer when traveling within the State of Alabama on business of the State.

Committee on Finance and Taxation.

By Mr. Clark:

S. 213. Making an appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes in regard to vocational rehabilitation.

Committee on Finance and Taxation.

By Mr. Clark:

S. 214. To amend Sections 8, 14, 26 and 36 (1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

Committee on Judiciary.

By Messrs. Pelham, Noonan and Edington:

S. 215. To regulate further the excusing of persons from jury service in the Thirteenth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Committee on Local Legislation No. 1.

By Messrs. Register, Clark and Horne:

S. 216. To make an appropriation to the Tri-Rivers Development Association from the State General Fund.

Committee on Finance and Taxation.

By Mr. Register:

S. 217. To make an appropriation from the State General Fund to the Houston County Farm Center for capital outlay.

Committee on Finance and Taxation.

By Mr. Register:

S. 218. To make an appropriation from the Alabama Special Educational Trust Fund to the George C. Wallace State Technical Junior College at Dothan, for capital outlay.

Committee on Finance and Taxation.

By Mr. Register:

S. 219. To make an appropriation from the Alabama Special Educational Trust Fund to the Houston County Board of Education.

Committee on Finance and Taxation.

By Mr. Register:

S. 220. To make appropriation from the Alabama Special Educational Trust Fund for George C. Wallace Junior College at Napier Field.

Committee on Finance and Taxation.

By Mr. Register:

S. 221. To make an appropriation from the Alabama Special Educational Trust Fund to the Trade School at Napier Field.

Committee on Finance and Taxation.

By Mr. Register:

S. 222. To make an appropriation to the Department of Conservation from the State General Fund for a park in Houston and Geneva Counties.

Committee on Finance and Taxation.

By Mr. Register:

S. 223. To make an appropriation from the State General Fund to the Parks Division of the State Conservation Department for Omussee Creek Park in Houston County.

Committee on Finance and Taxation.

By Mr. Register:

S. 224. To make an appropriation from the State General Fund to the Wiregrass Railroad Historical Society, Inc.

Commission on Finance and Taxation.

By Mr. Wilson:

S. 225. Relating to Juries; to amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries, and to amend Code of Alabama 1940, Title 30, Section 101 relative to jury verdicts.

Committee on Judiciary.

By Mr. Wilson:

S. 226. Relating to civil remedies and procedure: To provide that in civil cases at law and in equity the jury shall be composed of eight members and three-fourths of the members of a jury may render a lawful verdict in such civil cases.

Committee on Judiciary.

By Mr. Wilson:

S. 227. Proposing an amendment to the Constitution of Alabama relating to the right to trial by jury; authorizing the legislature to provide by law, for juries composed of less than twelve members in civil cases at law or in equity, and for the rendition of the verdict in any such cases by less than the whole jury.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Wilson:

S. 228. Relating to jury verdicts; amending Code of Alabama 1940, Title 30, Section 101.

Committee on Judiciary.

By Mr. Wilson:

S. 229. Proposing an amendment to Section 11 of Article 1, Constitution of Alabama 1901, relating to the right of trial by jury.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Wilson:

S. 230. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide for prohibitions; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the administration of the purposes of this Act; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission; to provide for appropriations to carry out the purposes of this Act and other purposes.

Committee on Health.

By Mr. O'Bannon:

S. 231. To make a supplemental appropriation to the State Tenure Commission for the fiscal year ending September 30, 1971.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the House amendment to the Senate Joint Resolution:

S. J. R. 2. Relative to the adjournment of the two houses.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Fite, Smith (K) and Bassett.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. **BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING,** That when the two houses adjourn today, they adjourn to meet again on Tuesday, June 1, 1971.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

The Resolutions:

H. J. R. 17. Commending Mr. Grover C. Hall and wishing him an early recovery.

Also:

S. J. R. 14. Condolences in the death of S. Buford Word, M. D.

Also:

H. J. R. 8. Mourning the death of Mr. W. L. Holloway.

were again read and, on motion of Mr. Jones, were adopted by the Senate.

Mr. Dominick offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby established a Joint Fiscal Committee, whose responsibility shall be to study the fiscal condition of the state treasury in regard to anticipated revenue and anticipated expenditures of all departments of state government. Said Joint Committee shall provide a technical staff to assist the two bodies of the Legislature in estimating budgets for all state agencies and departments, and to advise on fiscal effects of any proposed tax measures, bond issues and all other fiscal aspects of state government. The Committee's responsibilities shall include the securing of a technical director and such technical and clerical assistance as may be necessary to perform its responsibilities.

BE IT FURTHER RESOLVED That the Committee shall be comprised of three members of the House of Representatives and three members of the Senate, to be elected by their respective bodies during the First Regular Session of the Legislature each quadrennium, and whose term shall be for such quadrennium. No more than one member of the Committee shall serve on the House Ways and Means Committee and no more than one member shall serve on the Senate Finance and Taxation Committee. The chairman of said Committee shall be elected by the Committee from among its members. The Committee shall meet at the call of the chairman. The expenses incurred in the operation of said Committee shall be paid out of the funds appropriated for the use of the Legislature, however they shall not exceed \$20,000 for the fiscal year ending September 30, 1971, nor \$50,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

BE IT FURTHER RESOLVED That the Committee herein established shall be dissolved upon the election of a Joint Fiscal Committee provided for pursuant to an Act of the current session of the Legislature and all of its records, books, funds and other properties shall be transferred to such other committee.

Which was read and referred to the Standing Committee on Rules.

NOTICES IN WRITING

Mr. Dominick offered the following Notices in Writing, to-wit:

"NOTICE IN WRITING"

"Notice is hereby given that on the next legislative day a motion will be made to amend Joint Rule 4 of the two Houses of the Legislature of Alabama to read as follows:

“‘4. No bill amending an existing statute shall be introduced in either house unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be deleted is shown by cancelled type and the material to be inserted is shown by underscored type.’”

Also:

“NOTICE IN WRITING”

“Notice is hereby given that on the next legislative day, a motion will be made to amend the Joint Rules of the two Houses of the Legislature of Alabama by adding thereto a new joint rule to read as follows:

“‘All bills introduced in the House and Senate shall have attached thereto a summary analysis of the bills’ contents, prepared by the Legislative Reference Service.’”

Which were read and ordered spread upon the journal.

RESOLUTION

Mr. Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. Congratulatory Resolution to Dr. James C. Folsom and others.

Which was read and ordered to lay over on the Secretary’s desk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 13. Congratulating Representative and Mrs. Tom Gloor on their silver anniversary.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

ADJOURNMENT

At 12:45 P. M., on motion of Mr. Pelham, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 1, 1971, at 2 o’clock P. M.

FOURTH LEGISLATIVE DAY

TUESDAY, JUNE 1, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Eldon Weisheit, Pastor, Lutheran Church of the Epiphany, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones	Owen	

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JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Hammond for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Bailes, Gilmore, Dominick, Cook, Hawkins, Pierce, Vacca, Edington, King and Jones:

S. 232. To provide for a statewide reappraisal and revaluation of property for tax purposes in the State of Alabama, to provide for the financing and administration thereof; and to define the functions, powers and duties of the State of Alabama, Department of Revenue and its relationship to county tax assessors and Boards of Equalization under this Act; and to authorize the Department of Revenue to make and promulgate rules and regulations, and provide penalties for violations of the Act.

Committee on Finance and Taxation.

By Mr. King:

S. 233. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary; to provide for the abolishment of the Jefferson County Court of General Sessions; to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

There will be presented to the next regular session of the legislature of Alabama a bill to establish an inferior court in precincts now designated as 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham, Alabama, in lieu of all Justices of the Peace and of all Notaries Public with powers of Justices of the Peace and with concurrent jurisdiction with all other Justices of the Peace and Civil Courts in the Birmingham Division of Jefferson County, Alabama; to define jurisdiction as to character and amounts involved in cases to be handled by said court and the powers thereof; to define the power and duties of the Judge, Clerk and other officers thereof; to provide for places of holding said court, term and salary of said Judge and the appointment, election, and the payment of the salary thereof, and adjustment of other costs; to provide for the abolishment of the Jefferson County Court of General Sessions and the transfer of all cases now pending the said court and all records to the court created by this act.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first

duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of February 6, 13, 20, 27, 1971, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 1st day of March, 1971.

ANGIE CAMPISI,
Notary Public.

By Messrs. Dominick, Shelby, King, Vacca, Noonan, O'Bannon and Cook:

S. 234. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

Committee on Judiciary.

By Messrs. Vacca and Gilmore:

S. 235. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Vacca and Gilmore:

S. 236. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Vacca and Gilmore:

S. 237. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Vacca and Gilmore:

S. 238. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

Committee on Finance and Taxation.

By Messrs. Vacca and Hawkins:

S. 239. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal

or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year, making it a misdemeanor to fail to comply with the provisions of this Act.

Committee on Constitution and Elections.

By Mr. Cook:

S. 240. To Repeal Act No. 1178 of the Regular Session of 1969 (Acts of Alabama, 1969 Regular Session, Vol. III, p. 2206) relating to zoning in counties having a population of 400,000 or more.

Committee on Local Legislation No. 2.

By Mr. Cook:

S. 241. To Repeal Act No. 1177 of the Regular Session of 1969 (Acts of Alabama, 1969 Regular Session, Vol. III, p. 2204) relating to zoning, land subdivision and building codes in counties having a population of 600,000 or more.

Committee on Local Legislation No. 2.

By Mr. Wilson:

S. 242. To provide a housing allowance for the State Superintendent of Education.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 243. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 244. To amend further Code of Alabama 1940, Title 26, Sections 289 and 299 as last amended in relation to payments of awards of workmen's compensation which have been commuted to more than one lump sum payment.

Committee on Business and Labor.

By Mr. Givhan:

S. 245. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Committee on Local Legislation No. 1.

By Messrs. Lindsey, O'Bannon and Clark:

S. 246. To amend Title 15, Section 299, Code of Alabama, 1940, pertaining to depositions taken on the part of the State in criminal cases.

Committee on Judiciary.

By Messrs. Lindsey, O'Bannon, Pelham, Fine and Clark:

S. 247. To repeal Sections 75, 76, 78, 79, 80 and 81, Title 30, Code of Alabama, 1940, pertaining to charges by the Circuit Court to a grand jury.

Committee on Judiciary.

By Messrs. Lindsey, O'Bannon, McLain, Cooper and Noonan:

S. 248. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume 1, Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Committee on Finance and Taxation.

By Messrs. Lindsey, O'Bannon, Wilder, Owen, Foshee and Fine:

S. 249. To abolish primary elections of political parties in all cities and towns of 300,000 population or less; and to repeal conflicting laws.

Committee on Judiciary.

By Messrs. Cooper, Givhan, Owen, Wilder, Dozier, Lindsey, Branyon, Fine, Foshee, Littleton, Shelby, Register, Pelham and Wilson:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Committee on Finance and Taxation.

By Messrs. Dozier, Foshee, Horne, Clark, Register, Cooper, Wilder, Branyon, Pierce, Shelby, Fine, Lindsey, Harris, Jones, Weaver, McLain, Givhan, Gilmore, Cook, Owen, Edington, Noonan, Hawkins and Bailes:

S. 251. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Clark:

S. 252. To authorize the state of Alabama department of conservation, division of state parks, monuments and historical sites to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts.

Committee on Conservation.

By Mr. Clark:

S. 253. To amend further Section 9 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended, an act regulating the practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology; so as to provide for the accreditation of completed hours of training and apprenticeship under certain supervised vocational education programs.

Committee on Health.

By Mr. Clark:

S. 254. Relating to counties having populations of not less than 22,250 nor more than 23,000, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 255. To further provide for supernumerary district attorneys.

Committee on Finance and Taxation.

By Mr. Clark:

S. 256. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

Committee on Finance and Taxation.

By Mr. Edington:

S. 257. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to 17 persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

Committee on Judiciary.

By Mr. Noonan:

S. 258. To provide for the continued existence and validity of a power of attorney and any agency created thereby, in the event of subsequent disability, incompetence or incapacity of the principal if the said power of attorney contains a provision to that effect, and to provide for an accounting by the attorney in fact; to provide further that any power of attorney executed by a member of the armed forces of the United States of America shall not be revoked by the fact that such member is reported missing in action, if certain procedures are followed.

Committee on Judiciary.

By Mr. Noonan:

S. 259. Relating to revenue; to exempt from taxation the recording of all mortgages, deeds of trust and other instruments of like character which mature in 30 months or less.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 260. To amend Act No. 1122, S. 408, Legislature of 1969, Regular Session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

Committee on Finance and Taxation.

By Mr. Carr:

S. 261. To amend Section 35 of Act No. 30, S. 5 Approved May 31, 1963.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To Amend Section 35 of Act No. 30, S. 5 Approved May 31st, 1963.

Section I. COURT REPORTER. That the judge of said Court shall by Order spread upon the Minutes Appoint a Competent person as the Official Reporter for said Court who may also be the official reporter for the Circuit Court and such official reporter, when so appointed, may be removed by the judge of said Court at his discretion, and his qualifications, duties and powers shall be the reporters of the Circuit Courts of the State and he or she shall receive the same rate of Compensation for transcribing the testimony, but shall as a salary receive not less than \$4800.00 annually and not more than \$5600.00 annually as set by the judge payable out of the general funds of the County. The services of said reporter when not actually working under the direction of the Judge of said Court shall be available to the Circuit Clerk in the discharge of his duties in this Court. The judge of said Court may appoint the official reporter of the Circuit Court of Marshall County as ex-officio reporter of the County Court of Marshall County, and when so appointed said reporter may be removed by the judge of said Court at his discretion, and he or she shall receive the same compensation and salary as hereinabove provided for the official reporter of said Court.

Section II. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section III. This Act shall become effective immediately upon its passage by the Legislature, and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, April 15, April 22, and April 29, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me May 20, 1971.

MARTHA JANE SAYLOR,
Notary Public.

By Mr. Carr:

S. 262. Relating to Marshall County: To provide further for the distribution of fines and forfeitures in certain cases.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeiture hereafter paid by persons convicted in Courts of competent jurisdiction within Marshall County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Marshall County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section II. All general, local or special laws, or parts of such laws, which conflict with this Act are hereby repealed.

Section III. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section IV. This Act shall become effective immediately upon its passage by the legislature and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, April 15, April 22, and April 29, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me May 20, 1971.

MARTHA JANE SAYLOR,
Notary Public.

By Mr. Carr:

S. 263. Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safe-keeping of such final records.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in said Court; and providing for this safekeeping of such final records.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court of Marshall County is hereby relieved of the duty of recording the original pleadings in Civil Cases at law in such Court, the original process issued thereon or any affidavits or bonds taken in the course thereof in that class or series of record books commonly designated "final record books." In lieu thereof such Clerk shall be responsible for the safe keeping of

each of the above mentioned items in the case file in each such case; and such file shall be deemed "the final record in each such suit or proceedings.

Section 2. The original pleading in all Civil Suits, at Law, in the Marshall County Circuit Court, the Original process thereon, all Affidavits and bonds taken in the course thereof, immediately after the filing thereof or after the return of such process, shall be placed in the file of such case, and neither such file, nor any item from the file shall be removed from the office of the Clerk, except in the Custody of the Clerk.

Section 3. The Judge's final orders and judgments shall be contained in the minute entries of the Court.

Section 4. All general, local or special laws, or part of such laws, which conflict with this Act are hereby repealed.

Section 5. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section 6. This Act shall become effective January 18, 1971 upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA MARSHALL COUNTY

Before the undersigned authority personally appeared B. B. Sanford who first being duly sworn deposes and says that he is the OWNER of THE LEADER DISPATCH, a Newspaper published in Marshall County, Alabama; that he has published the notice in the above captioned cause in said newspaper for 4 successive weeks of said paper, published in the issue of said paper dated 4-15, 4-22, 4-29, 5-6 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A", that the charge for such publication is \$34.02 which affiant claims is cost in said cause above named.

B. B. SANFORD.

Sworn to and subscribed to before me this 24, day of May, 1971.

WILLIOUSE JENKINS.

My Commission Expires Jan. 6, 1975.

By Mr. Carr:

S. 264. To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section I. Section 2." (d) Office of Circuit Clerk a maximum of twenty one thousand five hundred (\$21,500) annual \$3,600 shall be allowed the office of the annually as expenses for travel in the county by the Clerk and his deputies.

"Section 2.. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall be granted.

"Section 3. This Act shall become effective immediately upon its passage by the Legislature, and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA
MARSHALL COUNTY

Before the undersigned authority personally appeared B. B. Sanford who first being duly sworn deposes and says that he is the OWNER of THE LEADER DISPATCH, a Newspaper published in Marshall County, Alabama; that he has published the notice in the above captioned cause in said newspaper for 4 successive weeks of said paper, published in the issue of said paper dated 4-13, 4-20, 4-27, 5-4 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A", that the charge for such publication is \$15.84 which affiant claims is cost in said cause above named.

B. B. SANFORD.

Sworn to and subscribed to before me this 24, day of May, 1971.

WILLIOUSE JENKINS.

My Commission Expires Jan. 6, 1975.

By Mr. Carr:

S. 265. To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Section 1. That witnesses in criminal cases in the County Court, except in preliminary hearings, and in the Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county are entitled to One Dollar and Fifty Cents (\$1.50) per deim, and Ten Cents (10c) per mile to and from their residence by the route usually travelled.

Section II. The fees of such witnesses Subphoenaed on the part of the State to appear at the County Court, except in preliminary hearings, or the Circuit Court or before the Grand Jury of said county, shall be a preferred claimagainst the Fine and Forfeiture Fund of said county, and provided that if said fund is exhausted at the time of the presentation of certificate for said fees, then such fees shall be paid out of the General Fund of the county.

Section III. That all witness fees collected by the Clerk of the Court shall be paid by him into the General Fund of the county treasury at the end of each month in which they are collected, and provided further that the fees of witnesses shall be collected by said Clerk, as now fixed and provided by law, the true intent and purpose of this Act being to pay the State witnesses cash for their attendance at present term of Court on presentation of witness certificate, and to collect the fees as now fixed by law for the benefit of the county treasury.

Section IV. All general, local or special laws, or parts of such laws, which conflict with this Act are hereby repealed.

Section V. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section VI. This Act shall become effective immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, April 15, April 22, and April 29, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me May 20, 1971.

MARTHA JANE SAYLOR,
Notary Public.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hardin:

H. 8. To further amend the title and Section 1 of Act No. 171, H. 223, Special Session 1961, approved September 15, 1961, as last amended, in relation to expense allowances of members of the county governing body of all counties having a population of not less than 24,525 nor more than 24,675.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 13. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Anniston; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use maintenance operation and fostering of off-street automobile parking facilities in the City of Anniston; authorizing the city council to create a parking authority or parking committee and providing for its membership, authority and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in the City of Anniston the free circulation of traffic of all kinds through the streets of said city is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in the streets of said city; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from the City of Anniston and impedes the rapid and effective fighting of fires and disposition of its po-

lice force, threatens irreparable loss in the values of urban property within the city which can no longer be readily reached by vehicular traffic and endanger the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this Act is hereby declared to be a public necessity.

Section 2. The city council or other municipal governing body of the City of Anniston is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this Act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve maintain, equip, operate, regulate and protect parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this Act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city, to cooperate with the state, any county, city, town, public corporation, agency, department, or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purposes of this Act; to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the state, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body is hereby specifically authorized to lease any said parking facilities constructed under the provisions of this Act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provided that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principle of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserves deemed by the coun-

cil or other governing body to be advisable in connection therewith. (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement may, at the discretion of the council or other governing body, contain provisions prescribing minimum operating hours, maximum charges to be collected by the operator, and other terms to be observed by the lessee.

Section 4. The principal of and interest of any bonds issued under this Act shall be secured by a pledge of the revenue out of which such bonds may be made payable and may be secured by a mortgage covering all or any part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings or mortgage, the terms to be included in the lease of such project, the maintenance and issuance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default of the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this Act; provided, however, that in making any such agreements or provisions the City of Anniston shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that, in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that, in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon the City of Anniston or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by the City of Anniston by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the

date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this Act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the provisions contained in Section 4 of this Act, and may be secured in accordance with the provisions of Section 3 of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this Act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction of any part of a project which may be constructed, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. The City of Anniston may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project.

Section 8. Bonds issued under the provisions of this Act shall be legal investments for savings banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this Act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and the revenues derived from any lease thereof shall be exempt from all taxation in the state of Alabama.

Section 10. The city council or other municipal governing body may, by local ordinance, create a parking authority or parking committee to which it may delegate all authority heretofore or hereafter held by said council with respect to the development, creation, operation and general supervision of any and all matters related to public parking. Said parking committee shall be composed of not less than seven nor more than thirteen members as the city council may decide, and all such members shall be residents of the City of Anniston and over the age of twenty-one years. In so far as is nearly mathematically possible, of the members first appointed, one-third shall be appointed for terms of two years, one-third for terms of three years and one-third for terms of four years. Thereafter all members of the committee shall serve for terms of four years. Upon the creation of the parking committee, it shall assume all authority of the city council with respect to public parking in the City of Anniston, and perform all duties in matters related thereto.

Section 11. Neither this Act nor anything herein contained shall be construed as a restriction or limitation upon any powers which the

City of Anniston might otherwise have under any laws of this state, but shall be construed as cumulative; and this Act shall not be construed as requiring an election by the voters of said city prior to the issuance of bonds hereunder by such municipality.

Section 12. If any section, provision, or clause of this Act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29, and April 5, all in the year 1971.

LOLA J. BRIGHT.

Sworn to and subscribed before me April 13, 1971.

PHILLIP A. SANGUINETTI,
General Manager.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 15. To authorize, provide for and regulate the establishment and operation of a retirement system for certain employees of the City of Anniston and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Anniston Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize, provide for and regulate the establishment and operation of a retirement system for employees of the City of Anniston and

certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Anniston Retirement Trust Fund, to provide for the composition, management and administration of a retirement system for emtration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Be It Enacted by the Legislature of Alabama:

Section 1. A retirement system for employees of the City of Anniston and any incorporated and unincorporated municipal boards of the City may be established and a Retirement Trust Fund in connection herewith may be created, maintained and administered for the benefit of such employment in the manner hereinafter prescribed.

Section II. If the Mayor and the City Council of the City of Anniston (hereinafter referred to as the Employer) desire to establish such retirement system, they shall approve the Retirement Plan and Retirement Trust incorporating the terms and provisions of the retirement system and stating its effective date. The Employer shall also act upon the application of any incorporated or unincorporated municipal board(s) of the City who may wish to participate in the Plan for the benefit of its employees.

Section III. Any retirement Plan adopted pursuant to this Act shall:

1. Be designated and known as the City of Anniston Retirement Plan (hereinafter referred to as the Plan);

2. Provide for the establishment of the City of Anniston Retirement Trust (hereinafter referred to as the Trust or Trust Fund) so designed that it will qualify under Sections 401, 404 and 501 of the Internal Revenue Code of the United States as a tax-exempt Trust for Federal income tax purposes;

3. Prescribe conditions for membership in the Plan by employees of the Employer';

4. Provide for contributions by the Employer to the Trust from which benefits under the Plan will be paid;

5. Provide for and prescribe the manner and amount of the payment of benefits to an employee upon the event of normal retirement, early retirement, late retirement, disability retirement, death or other termination of employment with the Employer;

6. Provide for the conditions and eligibility requirements whereby an employee will qualify for a benefit under the Plan;

7. Prescribe rules for computing and determining the employee's service and average monthly earnings on which his benefits are to be determined;

8. Provide for the administration of the retirement system by a Retirement Committee, provide for the composition of this Committee, prescribe the rights, powers, duties, authority and liabilities of such Committee and of the members thereof and may prescribe the effect to be given to decisions of such Committee relative to matters involving rights to benefits and the payment thereof from the Trust;

9. Authorize and provide for the execution of a trust agreement between the Employer and a bank, having a trust department duly licensed to serve as trustee in Alabama, to accept and administer the Trust created pursuant to the Retirement Plan authorized by this Act;

10. Provide for and prescribe the manner in which the Employer may terminate the Plan and/or Trust and the rules safeguarding the rights of members in the event of such termination;

11. Authorize, provide for and regulate amendments to the Retirement Plan and/or Retirement Trust established here-under and provide further that such amendments may not be made without a written certification from a qualified actuary that such amendments will not adversely affect the actuarial soundness of the Plan;

12. Provide that such amendments may be made by the City Council of the City of Anniston, subject to the approval of the Mayor, without the consent of any other party, except that no amendment affecting the Trustee's duties, powers and responsibilities shall be made without his written consent;

13. Provide for the employment of a a qualified actuary, authorize the use of tables, data and opinions furnished by the actuary and provide for periodic actuarial valuations of the Plan by such actuary;

14. Prescribe the manner of giving required notices, instructions and communications and of filing requests.

Section IV. The right of a person to to a benefit under this Plan and the monies in the City of Anniston Retirement Trust are exempt from levy, sale, garnishment, attachment and any other process whatsoever, and shall be unassignable, except as in this Act specifically provided herein.

Section V. No provision of a Retirement Plan adopted here-under shall bestow or purport to bestow or be construed to bestow on any employee of the Employer the right to be retained in its employ, nor shall any provision in such Retirement Plan be construed to curtail or in any manner interfere with the right of the Employer to terminate the employment of any employee at any time.

Section VI. All benefits provided under any Plan adopted under this Act shall be payable by the Trustee under the direction of the Retirement Committee and solely from the Trust and the earnings thereon. Under no circumstances shall the Employer be liable for the payment of any such benefits, nor shall the Trustee or members of the Retirement Committee be individually liable therefor. Nothing hereinabove shall be deemed to relieve any person from liability for losses to the Trust resulting from its gross negligence or wilful misconduct in the administration of the Plan and Trust.

Section VII. A copy of the Retirement Plan and of any and all amendments thereto shall be kept at the office of the City Clerk and such copies shall be available to employees for inspection at all reasonable times.

Section VIII. The purpose of this Act is to provide a method for the retirement of the employees of the Employer, but it shall not be construed to abridge the right of the Employer to provide or participate in providing for the retirement of employees in any other way or manner prescribed by law.

Section IX. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section X. This Act shall become effective immediately on its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29, and April 5, all in the year 1971.

LOLA J. BRIGHT.

Sworn to and subscribed before me April 13, 1971.

PHILLIP A. SANGUINETTI,
General Manager.

Also:

By Mr. Stubbs:

H. 178. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

An Act, To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein, to-wit:

A portion of land containing all of Fractional Section 27, Township 22 South, Range 3 West, that portion of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 22 South, Range 3 West, lying east of Spring Creek, the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 22 South, Range 3 West, the West half of SW $\frac{1}{4}$ of Section 14, Township 22 South, Range 3 West, and the following portions of Section 22, Township 22 South, Range 3 West: All of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ lying east of Dry Creek, the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ lying east of Spring Creek, the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ lying east of Spring Creek and all of the South half, excepting that portion of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ lying east of Shoal Creek; all being in Shelby County, Alabama, and described more particularly as follows:

Begin at the southwest corner of said Fractional Section 27 and go eastward along the south side of same about 5272.0 feet; thence

northward along the east side of same about 381.0 feet; thence continue northward along the east side of said Section 22, a distance of 3880.0 feet, more or less; thence eastward along the south border of NW¼ of Section 23 about 1320 feet; thence northward along the east border of said NW¼ of NW¼ of Section 23 about 1320 feet to the south border of Section 14, Township 22 South, Range 3 West; thence continue northward along the east border of West half of SW¼ of said Section 14 about 2640 feet to the north boundary of said SW¼ of said Section 14; thence westward along the north boundary about 1320 feet to the west border of Section 15; thence southward along said west border of Section 15 about 2030 feet to the center of Spring Creek; thence easterly by southerly along said center line of Spring Creek and Dry Creek 4400 feet, more or less, to the center line of Section 22; thence westerly along said center line of Section 22 a distance of 2640 feet to the center line of Shoal Creek; thence southerly along the center-line of Shoal Creek 970 feet to the east line or border of Section 21; thence continue southerly along said east line of Section 21 about 1640 feet to the north border of Section 27; thence continue southerly along the west line of said Section 27 about 380 feet to the point of beginning, situated in Shelby County, Alabama.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the city of Montevallo, voting in a referendum election to be held on a day designated by the probate judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act to be introduced in a Session of the Legislature, which alters, rearranges and extends the corporate limits of the city of Montevallo in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "no" shall be written or printed on his ballot. The city of Montevallo shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "yes" the provisions of this Act shall become operative immediately. If the majority are "no" this Act shall have no further effect.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit, in issues thereof dated as follows: March 4, 11, 18, 25, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 26th day of March, 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Coshatt:

H. 179. To alter, rearrange and reduce the boundaries and corporate limits of the city of Pell City, St. Clair County, Alabama, so as to delete certain territory from the City.

With notice and proof thereto attached and herewith exhibited as follows:

ACT OR BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and reduce the boundaries and corporate limits of the city of Pell City, St. Clair County, Alabama, so as to delete certain territory from the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the city of Pell City are hereby altered, rearranged and reduced so as to delete from the corporate limits of the City the following described territory from the area now embraced as the corporate limits of the city of Pell City, to-wit:

(The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-six (36), Township Seventeen (17), Range Three (3) East. Also, the Southwest Quarter ($SW\frac{1}{4}$) of Section (36) Thirty-six, Township Seventeen (17), Range Three (3) East.)

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 3/11, 3/18, 3/25, and 4/1, all in the year 1971.

E. R. BLAIR.

Sworn to and subscribed before me April 6, 1971.

ETHEL BLAIR,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 8, 13, 15, 178 and 179. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 16. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Coshatt:

H. J. R. 19. Commending Ashville High School for winning track championship

Also:

By Messrs. Reed (T) and Coshatt:

H. J. R. 20. COMMENDING GENERAL OLIVER W. DILLARD UPON BEING RAISED TO THE RANK OF BRIDAGIER GENERAL

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 19 and 20, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Erdreich, Lyons, Doss, Parker (H), Bank, Culver, Wood, Stokes, McBride, Boutwell, Harris, Jones (F), Taylor, Hobbie, Nettles, Callahan, Timmons, Gloor, Falkenburg, Adwell, Meeks, Stewart, Cherner and Weeks:

H. J. R. 23. WHEREAS Senator Lister Hill, distinguished native son of Alabama and United States Senator from his home state for thirty-one years, has worked tirelessly throughout his legislative career to secure new and improved facilities for health care, research and education; for better standards of patient care; and for quality education and research programs in all areas of the health sciences; and

WHEREAS to achieve these goals, he has sponsored a preponderance of the most important health legislation in the history of this nation, including the Hill-Burton Hospital Survey and Construction Act of 1946; the Health Research Facilities Construction Act of 1956; the Health Professions Assistant Act of 1963; the Nurse Training Act of 1964; the Heart Disease Cancer and Stroke Amendment of 1965; the Allied Health Professional Personnel Training Act of 1966; the Comprehensive Health Planning and Public Health Service Amendments of 1966; the Hill-Harris Act of 1963 authorizing financial assistance for construction of a comprehensive network of facilities for mentally retarded and mentally ill; the Hill-Burton Provision for Construction of Rehabilitation Facilities; the Health for Peace Bill for international medical research; legislation providing more teachers for the deaf and braille educational material for blind children; and

WHEREAS Senator Hill sponsored legislation leading to establishment of the National Institutes of Health as a research branch of the U. S. Public Health Service and the National Eye Institute; and

WHEREAS the new medical library at the University of Alabama in Birmingham is recognized to be one of the most indispensable and valuable resources available to man in his pursuit of better health, serving as it does as the storehouse for all knowledge of his progress in the health sciences; and

WHEREAS Senator Hill co-sponsored legislation which led to creation of the National Library of Medicine; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby designates the new medical library facility at the Medical Center of the University of Alabama in Birmingham as the "Lister Hill Library of the Health Sciences."

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Senator Hill.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Horne:

S. 13 (with amendment). Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of educa-

tion in the State of Alabama and the school district associated therewith shall provide not less than thirteen years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought in the Circuit Court of Montgomery County, Alabama, in Equity; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of education for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the provisions of this Act shall be severable; and providing for the effective date of this Act.

RESOLUTIONS

The Resolution:

S. J. R. 18. Congratulatory Resolution to Dr. James C. Folsom and others.

was again read and, on motion of Mr. Gilmore, was adopted by the Senate.

Messrs. Cook, Hawkins, Bailes, Gilmore, Dominick and King offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. Naming a portion of U. S. Highway 31 the Bob Guillot Whiteway.

And said resolution was read and ordered to lay over on the Secretary's desk.

Messrs. Vacca and Cook offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. THANKING ALABAMA INTERNATIONAL MOTOR SPEEDWAY; REP. PHILIP H. SMITH, REP. MURRAY P. McCLUSKEY, AND SENATOR ROBERT W. WEAVER FOR COURTESY SHOWN TO MEMBERS OF THE LEGISLATURE ATTENDING THE WINSTON 500 AUTO RACE.

And said resolution was read and ordered to lay over on the Secretary's desk.

Messrs. Owen, Edington, Noonan, Pelham, Carr, Littleton and Malone offered the following Senate Resolution, to-wit:

S. R. 21. TO MEMORIALIZE CONGRESS TO PASS FEDERAL LEGISLATION ENABLING STATES TO OBTAIN LIBERTY SHIPS FOR USE IN MARINE LIFE CONSERVATION PROGRAMS.

And said resolution was read and ordered to lay over on the Secretary's desk.

MOTION IN WRITING

Mr. Dominick, together with Messrs. Gilmore, Cook, Hawkins, King, Bailes, Noonan, Foshee, McLain, Branyon, Malone, Edington, Shelby, Vacca, O'Bannon, Pierce, Fine and Dozier, offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"Having given notice in writing on the previous legislative day I now move that Joint Rule 4 of the two Houses of the Legislature of Alabama be amended to read as follows:

"'4. No bill amending an existing statute shall be introduced in either house unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be deleted is shown by cancelled type and the material to be inserted is shown by underscored type.'"

which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. Dominick, together with Messrs. Gilmore, Cook, King, Hawkins, Bailes, Noonan, Foshee, McLain, Branyon, Malone, Edington, Shelby, Vacca, O'Bannon, Pierce, Fine and Dozier, offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"Having given notice in writing on the previous legislative day I now move that the following new Joint Rule be added to the Joint Rules of the two houses of the Legislature of Alabama:

"'All bills introduced in the House and Senate shall have attached thereto a summary analysis of the bills' contents, prepared by the Legislative Reference Service.'"

which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. Clark offered the following Motion in Writing, to-wit:

"I move that the Senate do now proceed with the election of the Senate members to the Building Commission, the Legislative Committee on Examiners of Public Accounts and the Legislative Council."

And on motion of Mr. Clark, said Motion in Writing was then adopted.

ELECTION OF MEMBERS TO BUILDING COMMISSION

The Senate proceeded to the election of Senate members to the Building Commission.

Mr. Edington placed in nomination the name of Mr. Bailes.

Mr. Harris placed in nomination the name of Mr. Pierce.

Mr. O'Bannon placed in nomination the name of Mr. Fine.

Mr. Vacca placed in nomination the name of Mr. Gilmore.

And said above named were elected unanimously as Senate members on the Building Commission.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Clark	Givhan	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—33

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Bailes, Pierce, Fine and Gilmore were duly elected as members on the Building Commission.

ELECTION OF MEMBERS TO LEGISLATIVE COMMITTEE ON EXAMINERS OF PUBLIC ACCOUNTS

The Senate proceeded to the election of Senate members to the Legislative Committee on Examiners of Public Accounts.

Mr. Branyon placed in nomination the name of Mr. Vacca.

Mr. Wilder placed in nomination the name of Mr. Noonan.

Mr. Pierce placed in nomination the name of Mr. O'Bannon.

Mr. Fine placed in nomination the name of Mr. Littleton.

Mr. Vacca placed in nomination the name of Mr. Branyon.

On motion of Mr. Carr, nominations were closed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Clark	Givhan	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—33

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Vacca, Noonan, O'Bannon, Littleton and Branyon were duly elected as members to Legislative Committee on Examiners of Public Accounts.

ELECTION OF MEMBERS TO LEGISLATIVE COUNCIL

The Senate proceeded to the election of Senate members to the Legislative Council.

Mr. Clark placed in nomination the name of Mr. Harris.

Mr. Carr placed in nomination the name of Mr. Jones.

Mr. Foshee placed in nomination the name of Mr. Cook.

Mr. Bailes placed in nomination the name of Mr. Shelby.

And said above named were elected unanimously as Senate members to the Legislative Council.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Jones	O'Bannon	Wilder
Dominick	King	Owen	Wilson
Dozier			

—32

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Harris, Jones, Cook and Shelby were duly elected as members to the Legislative Council.

REPORT OF CONFERENCE COMMITTEE

ON S. J. R. 2

We, the undersigned members of the Committee on Conference appointed to reconcile the differences between the two houses on the House amendment to S. J. R. 2, do respectfully report that we have been unable to reach an agreement, and we do request that we be discharged and that a new Committee on Conference be appointed.

/s/ PIERRE PELHAM

/s/ JOE FINE

/s/ EDDIE HUBERT GILMORE

/s/ KIRBY SMITH

/s/ RANKIN FITE

/s/ GARDNER BASSETT

CONFERENCE REPORT

On motion of Mr. Pelham, the Senate concurred in and adopted the foregoing report of the Committee on Conference on S. J. R. 2, and said Committee on Conference was discharged.

And the President and Presiding Officer of the Senate appointed as new conferees on part of the Senate Messrs. Cooper, Harris and Malone.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in the Report of Committee on Conference on the resolution:

S. J. R. 2. Relative to the adjournment of the two Houses from May 4 to May 25, 1971.

And returns same herewith to the Senate.

In accordance with the Report of Committee on Conference, the Committee appointed by the House has been discharged.

The House has acceded to the request for a new Committee on Conference, and the Speaker of the House has named as a new Committee on Conference on the part of the House Messrs. Fite, Culver and Easters.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 4:15 P. M., on motion of Mr. Pelham, the Senate adjourned until Thursday, June 3, 1971, at 12 o'clock Noon.

FIFTH LEGISLATIVE DAY

THURSDAY, JUNE 3, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend John F. Lindsey, Minister, Ridgecrest Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	O'Bannon	

—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Weaver for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 8. Mourning the death of Mr. W. L. Holloway.

Also:

H. J. R. 17. Commending Mr. Grover C. Hall, Jr. and wishing him an early recovery.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 266. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Labor and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Committee on Business and Labor.

By Messrs. Malone, Pelham, Shelby, Noonan and O'Bannon:

S. 267. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

Committee on Business and Labor.

By Messrs. Vacca, Bailes, Givhan, Hawkins, King, Carr, Malone, Shelby, Wilder, Hammond, Pierce, Gilmore, Pelham, Jones, Dominick, McLain, Lybrand, Edington, Cook, and Dozier:

S. 268. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; providing appropriation therefor; and repealing Act No. 542, H. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 269. To make an appropriation to the Motor Vehicle Inspection Fund for the uses provided therein.

Committee on Finance and Taxation.

By Messrs. Gilmore, Bailes, King, Vacca, Hawkins, Pierce and Jones:

S. 270. To amend Act No. 865, H. 138 of the Regular Session of 1961, (Acts of Alabama, 1961 Regular Session, p. 1349), which authorizes and regulates the formation of unincorporated associations for the purpose of rendering professional service, amending such Act in relation to the number of persons who may form such associations.

Committee on Judiciary.

By Messrs. Givhan, Foshee, Dozier and Branyon:

S. 271. To amend Section 89, Title 36, Code of Alabama 1940, as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, nine inches.

Committee on Agriculture.

By Mr. Lindsey:

S. 272. To authorize incorporated municipalities to employ on a parttime basis regular deputy sheriffs to serve as policemen.

Committee on Municipal Government.

By Mr. Lindsey:

S. 273. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

Committee on Judiciary.

By Mr. Foshee:

S. 274. Relating to the ownership of oil, gas, and other mineral rights; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Committee on Judiciary.

By Messrs. Noonan, Pelham, Givhan, Vacca, Clark, Register, Wilder, Jones, Edington, Bailes, Shelby, Gilmore, King, O'Bannon, Lybrand, Dozier, Lindsey, Cooper, Horne, Harris and Owen:

S. 275. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

Committee on Business and Labor.

By Mr. Pelham:

S. 276. To amend Act No. 21, H. 28, of the Special Session of 1969 (Acts 1969-70, p. 46) an act levying and providing for the collection of a tax on the furnishing of certain utility services, so as to provide that public utilities shall not add the tax thereby levied to the price or charge for utility services furnished for residential use; to require public utilities to absorb such tax on its utility services furnished for residential use; and for such purposes amending Sections 7 and 7A of said Act No. 21.

Committee on Finance and Taxation.

By Messrs. Pelham, Clark, Wilson, and Noonan:

S. 277. To require that all candidates be legally qualified to hold office, to impose limitations on the adoption of a political loyalty oath as a prerequisite for qualifications as a candidate for nomination; and to amend Title 17, Section 345, Code of Alabama, as amended.

Committee on Judiciary.

By Mr. Lybrand:

S. 278. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies and associations; to provide their rights, powers and immunities, and

to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

Committee on Insurance.

By Messrs. Wilson, Pelham and Clark:

S. 279. To provide that all political parties which elect to hold primary elections under the primary election laws of the states shall nominate all candidates for all state, county, and federal offices, including electors for president and vice-president of the United States, by vote of the qualified voters voting in the primary election called by such party; and to amend Section 336, Title 17, Code of Alabama of 1940, as amended.

Committee on Judiciary.

By Mr. Wilson:

S. 280. To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 281. To make an appropriation for the support and maintenance of Walker Junior College, located at Jasper, in Walker County.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 282. To authorize the director of the Legislative Reference Service to employ additional temporary staff members and clerical help either subject to the provisions of the merit system law or without regard to the provisions thereof, under certain conditions.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 283. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 284. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Committee on Judiciary.

By Mr. Cooper:

S. 285. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Committee on Youth and Student Activities.

By Messrs. Pelham, Edington, Clark, Cooper, Noonan and Lybrand:

S. 286. To amend Act No. 118, Acts of Alabama 1945 and to provide that the State Insurance Department approve all rate increases on all casualty, liability, health and accident insurance sold in Alabama, excluding contracts negotiated out of State and life insurance companies; to provide for a period of sixty days before rate changes take effect; to provide for the hiring of actuaries and experts in determining rate changes; to provide for public hearings.

Committee on Insurance.

By Mr. Wilson:

S. 287. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 288. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 289. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Easters:

H. 31. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Also:

By Messrs. Jackson and Wise:

H. 33. Relating to Covington County, Alabama; creating the office of clerk-secretary to the Judge of the 22nd Judicial Circuit, District

Attorney of the 22nd Judicial Circuit, and the Judge of the Intermediate Court of Covington County, Alabama; providing for the appointment of said clerk-secretary; prescribing the duties and authority of said clerk-secretary, and fixing the compensation of said clerk-secretary.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County, Alabama; creating the office of clerk-secretary to the Judge of the 22nd Judicial Circuit, District Attorney of the 22nd Judicial Circuit, and the Judge of the Intermediate Court of Covington County, Alabama; providing for the appointment of said clerk-secretary; prescribing the duties and authority of said clerk-secretary, and fixing the compensation of said clerk-secretary.

Be It Enacted by the Legislature of Alabama:

Section 1. In Covington County there is hereby established the office of clerk-secretary to the Judge of the 22nd Judicial Circuit of Alabama; to the District Attorney of the 22nd Judicial Circuit of Alabama; and to the Judge of the Intermediate Court of Covington County, Alabama.

Section 2. Immediately upon the passage of this act and its approval, the Judge of the 22nd Judicial Circuit of Alabama shall appoint a clerk-secretary who shall serve at the pleasure of the said Circuit Judge, and the said clerk-secretary may be removed from office at any time by the said Circuit Judge.

Section 3. The said clerk-secretary shall do all of the clerical and secretarial work required of such clerk-secretary by the Circuit Judge of said 22nd Judicial Circuit of Alabama, the District Attorney of the 22nd Judicial Circuit of Alabama, and the Judge of the Intermediate Court of Covington County, Alabama, and shall keep such records and perform such other duties pertaining to the office of the Circuit Judge, District Attorney, and Judge of the Intermediate Court of Covington County, as such clerk-secretary shall be instructed or required to do by the said Circuit Judge, District Attorney, or Judge of the Intermediate Court of Covington County, Alabama. The said clerk-secretary shall have the same authority now possessed by clerks of the circuit courts of Alabama to administer oaths.

Section 4. The said clerk-secretary shall receive a salary to be fixed and determined by the County Commission of Covington County, Alabama, and it shall be payable in monthly installments out of the general fund of Covington County, Alabama.

Section 5. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 6. All laws or parts of law which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: March 25, April 1, April 8, and April 15, 1971.

This the 15th day of April, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd day of May, 1971.

VIRGINIA G. KELLEY,
Notary Public.

My Commission Expires February 25, 1973.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 55. To set the compensation for jurors serving in the circuit court of Etowah County.

With notice and proof thereto attached and herewith exhibited as follows :

A BILL TO BE ENTITLED AN ACT

To set the compensation for jurors serving in the Circuit Court of Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. All jurors serving in the circuit court of Etowah County are entitled to ten dollars for each day's services. The clerk of the circuit court of the county shall give each juror a certificate, stating therein the number of days he has served and the amount of compensation to which he is entitled. The certificate shall be payable out of the Etowah County treasury.

Section 2. No juror shall be entitled to any other or further compensation for services or expenses except as hereinabove provided.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Mrs. Dorothy Mince, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Advertising Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the Mr. D. B. Carnes, which notice was printed in The Gadsden Times in its regularly circulated editions on April 2, April 9, April 16, and April 23, 1971, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 2nd day of April, 1971.

MRS. DOROTHY MINCE.

Subscribed and sworn to before me on this 2nd day of April, 1971.

WALTER BETZ,
Notary Public,
Etowah County, Alabama.

Also:

By Mr. Grey (D):

H. 97. To amend the Title and Section 1 of Act No. 160, H. 182, Special Session 1969, (Acts 1969, p. 226), which act provides further for additional clerk hire allowance for the tax assessors and tax collectors of certain counties classified on a population basis.

Also:

By Mr. Grey (D):

H. 98. Relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

By Mr. Smith (P):

H. 182. To repeal Act No. 450, H. 1055, approved August 19, 1969 entitled "An Act Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the board of commissioners of such cities.", (Acts 1969, Vol. I, p. 892).

Also:

By Messrs. Bassett and Hardin:

H. 210. To permit banks now or hereafter situated within the corporate limits of the City of Troy, Alabama, a municipal corporation, to establish, maintain or operate new branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business within the corporate limits of Troy, Alabama, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit banks now or hereafter situated within the corporate limits of the City of Troy, Alabama, a municipal corporation, to establish, maintain or operate new branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business within the corporate limits of Troy, Alabama, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, now or hereafter situated within the corporate limits of the City of Troy, Alabama, shall have the power to establish, maintain and operate within the corporate limits of said City, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, provided that such bank before the establishment of any branch or branches shall first secure the written consent thereto of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

STATE OF ALABAMA
PIKE COUNTY

Before me, Phyllis Bryan, a Notary Public in and for said State and County, personally appeared Don Thrasher, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be Entitled an Act was published in said newspaper 4 times, the same appearing in the issues dated: January 22, 29, February 5, 12.

DON THRASHER,
Bus. Mgr.

Sworn to and subscribed before me this the 24th day of February, 1971.

PHYLLIS BRYAN,
Notary Public,
Pike County, Ala.

Also:

By Mr. Fite:

H. 225. Relating to Marion County, Alabama, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County, Alabama, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Marion County, Alabama.

Section 2. The Register of the Circuit Court in Marion County, Alabama, shall appoint a qualified person to serve as secretary-stenographer to and for the Courts in Marion County, and shall with the approval of the governing body of such county, fix the compensation therefor, which shall not exceed \$3,600.00 per annum. The governing body shall pay such compensation out of the general funds of the county in like manner as the other county employees are paid.

Section 3. Such secretary-stenographer shall serve at the pleasure of the Register, and shall perform stenographic, secretarial and clerical work as may be prescribed by the judges, clerks and Registers of the Courts.

Section 4. This Act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 18, Mar. 25, Apr. 1, and Apr. 8, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 226. To amend further Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, v. 1, p. 72), in relation to the compensation of the judge of said court and of the court reporter, and in relation to time of holding sessions of, procedure in, and the appeals from such court and the transfer of cases between the Marion County Superior Court and the circuit court of Marion County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, v. 1, p. 72), in relation to the compensation of the judge of said court and of the court reporter, and in relation to time of holding sessions of, procedure in, and the appeals from such court and the transfer of cases between the Marion County Superior Court and the circuit court of Marion County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, v. 1, p. 72), as amended, is hereby further amended so as to read as follows:

"Section 5. The judge of the Marion County Superior Court shall receive a salary of \$1,000.00 per month payable out of the county treasury. In addition to the compensation provided herein, the judge

of said court shall be entitled to receive the sum of \$200.00 per month as reimbursement for the expenses incurred by him in the performance of his duties as the judge of such court."

Section 2. Section 17 of said Act No. 30, H. 116, Regular Session 1957, as amended, is hereby further amended so as to read as follows:

"Section 17. The judge of the court shall appoint a competent person capable of taking the proceedings of said court in shorthand as a full time official reporter for the court. The court reporter shall be removable at the discretion of the judge. The reporter's duties shall be the same as those required by law of reporters for the circuit courts of the state; he shall receive the same rate of compensation for transcribing the testimony or other proceedings as is now provided for the circuit court reporters, and shall also receive \$300.00 a month and five dollars for each half day or fraction thereof he is engaged in taking testimony or other proceedings of the court; such salary and compensation shall be paid out of the county treasury."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 8, Apr. 15, Apr. 22, and Apr. 29, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 227. Relating to Marion County; providing an additional expense allowance for the members of the governing body of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; providing an additional expense allowance for the members of the governing body of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman and each member of the board of revenue, county commission, or other like governing body of Marion County shall be entitled to receive an expense allowance of \$100.00 per month. Such allowance shall be paid from the Road and Bridge fund of the county and shall be in addition to any other allowance or compensation now provided by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 25, Apr. 1, Apr. 8, and Apr. 15, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 228. To fix the fee for issuance of pistol permits in Marion County, Alabama; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections; and to repeal all laws and parts of laws in conflict herewith, especially Act No. 28, H. 43, Special Session of the 1970 Legislature.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the fee for issuance of pistol permits in Marion County, Alabama; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections; and to repeal all laws and parts of laws in conflict herewith, especially Act No. 28, H. 43, Special Session of the 1970 Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marion County, Alabama, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in the Code of Alabama 1940, Title 14, Section 177, shall be \$10.00 which shall be collected by the Sheriff and deposited in the County Treasury.

\$5.00 of said amount shall be paid over to the General Fund of Marion County, Alabama, and the remaining \$5.00 shall be credited to a special fund to be known and designated as the Sheriff's Fund. Such fund shall be drawn upon by the Sheriff and used exclusively for the purposes of law enforcement.

Section 2. All laws or parts of laws in conflict herewith, including Act No. 28, H. 43, Special Session of the 1970 Legislature, and hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 25, Apr. 1, Apr. 8, and Apr. 15, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 229. Relating to Marion County; providing an expense allowance for deputy sheriffs in said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; providing an expense allowance for deputy sheriffs in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Each deputy sheriff, excluding the chief deputy, in Marion County shall be entitled to receive an expense allowance of \$50 per month. Such allowance shall be in addition to any compensation or allowance now provided by law, and shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 25, Apr. 1, Apr. 8, and Apr. 15, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 230. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Bear Creek, in Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Bear Creek, in Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Bear Creek, in Marion County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said town all of the following described territory:

All of Sections 8, 9, 16 and 17, and the West $\frac{1}{2}$ of Section 10, the West $\frac{1}{2}$ of Section 15, the North $\frac{1}{2}$ of Section 20, the North $\frac{1}{2}$ of Section 21, and the NW $\frac{1}{4}$ of Section 22.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 24, Dec. 31, 1970, Jan. 7, and Jan. 14, 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 231. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hamilton, in Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hamilton, in Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Hamilton, in Marion County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said town all of the following additional described territory, to-wit:

S $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 22, S $\frac{1}{2}$ of Section 23, S $\frac{1}{2}$ of Section 24, N $\frac{1}{2}$ of Section 25, N $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 25, N $\frac{1}{2}$ of Section 26 and the NE $\frac{1}{4}$, Section 27, all in Township 10 South, Range 14 West, Marion County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 1, Apr. 8, Apr. 15, and Apr. 22, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me May 20, 1971.

MILDRED GREGG,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 31, 33, 55, 97, 98, 182, 210, 225, 226, 227, 228, 229, 230. 231.
To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 232. To amend the title and Section 1 of Act No. 359, H. 905, Regular Session 1969 (Acts 1969, p. 731), which act provides an expense allowance for members of the county board of equalization, in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 233. To amend the title and Section 1 of Act No. 179, H. 742, Regular Session 1969 (Acts 1969, p. 486), which act provides for court reporters in certain counties classified on a population basis, and provides for their appointment and compensation.

Also:

By Mr. Fite:

H. 234. To amend the title and Section 1 of Act No. 357, H. 903, Regular Session 1969 (Acts 1969, p. 730), which act provides an expense allowance for the county engineer payable from county general funds, in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 235. To amend the title and Section 1 of Act No. 180, H. 743, Regular Session 1969 (Acts 1969, p. 487) which act provides for the expense of certain judges in counties classified on a population basis.

Also:

By Mr. Fite:

H. 236. To amend the title and Section 1 of Act No. 178, H. 741, Regular Session 1969 (Acts 1969, p. 486), which act provides for the expenses of members of the Boards of Education in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 237. To amend the title and Section 1 of Act No. 27, H. 79, 3rd Special Session 1965 (Acts 1965, p. 235), which act authorizes the governing bodies of certain counties classified on a population basis to set aside, appropriate, use, and expend county funds to contribute to non-profit community action committees.

Also:

By Mr. Fite:

H. 239. To apply only in counties having populations of not less than 22,575, nor more than 23,800 according to the most recent federal decennial census, prescribing qualifications, compensation, and duties of members of the boards of education in such counties.

Also:

By Mr. Fite:

H. 240. To repeal Act No. 77, H. 129, Special Session 1962 (Acts 1962, p. 100) and Act No. 116, H. 72, Special Session 1969 (Acts 1969, p. 188), which acts prescribe the qualifications, compensation, and duties of members of the boards of education in counties having populations of not less than 21,800, nor more than 21,850.

Also:

By Mr. Fite:

H. 241. To amend the title and Section 1 of Act No. 635, H. 1066, Regular Session 1965 (Acts 1965, p. 1156), which act provides for a secretary-stenographer for the courts of certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 242. To amend the title and Section 1 of Act No. 813, H. 1264, Regular Session 1965 (Acts 1965, p. 1520), which act relates to admissibility of evidence in civil actions in courts of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 232, 233, 234, 235, 236, 237, 239, 240, 241, 242. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 243. To amend the title and Section 1 of Act No. 853, H. 1167, Regular Session 1969 (Acts 1969, p. 1559), which act regulates the compensation of jurors in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 244. To amend the title and Section 1 of Act No. 119, H. 284, Regular Session 1969 (Acts 1969, p. 396), which act provides for the compensation and meeting days of the jury commissions in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 245. To amend the title and Section 1 of Act No. 67, H. 740, Regular Session 1969 (Acts 1969, p. 358), which act provides for additional expenses of Chief Deputy Sheriffs in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 246. To amend the title and Section 1 of Act No. 66, H. 739, Regular Session 1969 (Acts 1969, p. 357), which act provides for the expenses of the County Solicitor in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 247. To amend the title and section 1 of Act No. 146, H. 151, Special Session 1962 (Acts 1962, p. 188), which act fixes the compensation of the county solicitors of certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 248. To amend the title and section 1 of Act No. 135, H. 123, Special Session 1962 (Acts 1962, p. 176), which act provides additional compensation and allowances for certain election officers in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 249. To amend the title and section 1 of Act No. 76, H. 128, Special Session 1962 (Acts 1962, p. 99), which act provides for the uniform operation of school terms in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 250. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census and to limit such additional expense payments to \$200.00 per month to the Chairman of such county governing body and to \$200.00 per month to the members thereof, and to provide an expiration date for this Act; and to repeal all laws in conflict herewith.

Also:

By Mr. Fite:

H. 251. To provide that school bus drivers in counties having a population of not less than 16,600 nor more than 16,950, according to the most recent federal decennial census, shall not be required to meet any minimum age requirements so long as they are duly licensed drivers and meet all other requirements of general law.

Also:

By Mr. Fite:

H. 252. To repeal Act No. 65, H. 738, Regular Session 1969 (Acts 1969, p. 356), and Act No. 360, H. 906, Regular Session 1969 (Acts 1969, p. 731), which acts apply only to counties having populations of not less than 20,100 nor more than 21,850 according to the 1960 federal decennial census, and provide for expense allowances for members of the governing bodies of such counties.

Also:

By Mr. Fite:

H. 253. To apply only to counties having a population of not less than 22,575, nor more than 23,800 according to the most recent federal decennial census; to provide an expense allowance for deputy sheriffs in such counties.

Also:

By Mr. Smith (P):

H. 288. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

After completion of publication hereof, as required by the constitution and laws of the State of Alabama, the following local act will be introduced for passage in the Legislature of Alabama:

To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama, be, and the same are hereby, extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory: Beginning at the southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section 6, Township 19 South, Range 6 East, and run westerly along the south boundary line of said Section 6 and along the south boundary lines of Sections 1, 2 and 3, Township 19 South, Range 5 East, to the southwest corner of the Southeast Quarter of said Section 3; thence northerly along the west boundary line of the SE $\frac{1}{4}$ of Section 3 a distance of $\frac{1}{4}$ miles to the southeast corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 3; thence westerly along the south boundary line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 3 and the south boundary line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 4, and the south boundary line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 4 to point where said south boundary line intersects the center line of Talladega Creek in the SW $\frac{1}{4}$ of Section 4; thence northwesterly along the center line of said Talladega Creek as it meanders through Sections 4 and 5 to a point where the center line of said Talladega Creek intersects the west boundary line of the E $\frac{1}{2}$ of Section 5; thence northerly along the west boundary line of the E $\frac{1}{2}$ of Section 5, Township 19 South, Range 5 East, and along the west boundary line of the E $\frac{1}{2}$ of Sections 32, 29 and 20, Township 18 South,

Range 5 East to the northwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence easterly along the north boundary line of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 20 a distance of one quarter of a mile to the southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence northerly along the west boundary line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20 a distance of one quarter of a mile to the northwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence westerly along the north boundary line of Section 20 a distance of one quarter of a mile to the southwest corner of the SE $\frac{1}{4}$ of Section 17; thence northerly along the west boundary line of the SE $\frac{1}{4}$ of Section 17 a distance of one quarter of a mile to the Northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17; thence easterly along the north boundary line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 17 and of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of Sections 16 and 15 a distance of approximately two and one tenth (2.1) miles to a point on the west boundary line of present City limits, said point being on the east side of Jackson Trace Road; thence northerly along the west boundary line of present City limits a distance of approximately one quarter of a mile to the northwest corner of present City limits, located on the north boundary line of the SE $\frac{1}{4}$ of Section 15; thence South 87 degrees 27 feet 30 inches East along the north boundary line of the SE $\frac{1}{4}$ of Section 15 to a point that is 975.0 feet westerly from the east boundary line of Section 15; thence N 2 degrees 32 feet 30 inches East a distance of 348.59 feet; thence S 87 degrees 27 feet 30 inches East a distance of 525.0 feet; thence South 2 degrees 32 feet 30 inches West a distance of 348.59 feet; thence South 87 degrees 27 feet 30 inches East a distance of 450.0 feet to the southeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15; thence southerly along the east boundary line of Section 15 a distance of 1541.6 feet, more or less, to the southern most point of the U. S. Government Reservation for Coosa River Ordinance plant; thence North 64 degrees 03 feet 30 inches East along the southeastern boundary line of said U. S. Government Reservation a distance of 1419.93 feet to a point; thence North 25 degrees 48 feet 30 inches West a distance of 535.98 feet to a point; thence North 64 degrees 11 feet 30 inches East a distance of 950.0 feet to a point; thence South 25 degrees 48 feet 30 inches East a distance of 318.0 feet to a point; thence North 64 degrees 11 feet 30 inches East a distance of 684.0 feet, more or less, to a point on the N-S half section line of Section 14; thence northerly along said N-S half section line a distance of approximately one half mile to the northwest corner of the NE $\frac{1}{4}$ of Section 14; thence easterly along the north boundary line of Sections 14 and 13 a distance of one and one half miles to the northeast corner of Section 13; thence southerly along the east boundary line of Section 13 a distance of three quarters mile to the northwest corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18, Township 18 South, Range 6 East; thence easterly along the north boundary line S $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 18, a distance of one half mile to northeast corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18; thence southerly along the east boundary line of SW $\frac{1}{4}$ of Section 18 and the east boundary line of W $\frac{1}{2}$ of Sections 19, 30 and 31, Township 18 South, Range 6 East, and the east boundary line of the W $\frac{1}{2}$ of Section 6, Township 19 South, Range 6 East, a distance of four and one quarter miles of the southeast corner of the SW $\frac{1}{4}$ of Section 6, the point of beginning.

The above described boundary line being the corporate limits of the City of Talladega, Alabama, and including all lands lying within the above described boundary line.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Janette M. Vincent, who being duly sworn according to law, deposes and says that he is the clerk of the Daily Home a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: 1-26-1971, 2-2-1971, 2-9-1971, 2-16-1971.

JANETTE M. VINCENT.

Subscribed and sworn to before me this 6th day of May, 1971.

ZELL COPELAND,
Notary Public.

Also:

By Mr. Coshatt:

H. 304. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of \$7,200 per annum. Other deputies serving in the office of the sheriff of said county shall receive an annual salary of \$6,600 per annum. The salaries of the chief deputy and other deputies shall be paid in equal monthly installments out of the general fund of the county.

Section 2. The sheriff of St. Clair County is hereby authorized to employ two additional deputies when the county commission deems the employment of such deputies is feasible.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed. Act No. 218, S. 248, Regular Session 1955 (Acts 1955, p. 529), Act No. 124, H. 154, 1st Special Session 1964 (Acts 1964, p. 180), and Act No. 95, H. 159, Regular Session 1969 (Acts 1969, p. 377), are specifically repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/15, 4/22, 4/29, and 5/6, all in the year 1971.

E. R. BLAIR.

Sworn to and subscribed before me May 24, 1971.

ETHEL BLAIR,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 288, and 304. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 142. To amend the title and Section 1 of Act No. 163, H. 163, 1st Special Session 1964 (Acts 1964, p. 233), which provides expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body, in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 144. Relating to counties having populations of not less than 16,600 nor more than 16,950, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

By Mr. Fite:

H. 145. To amend the title and Section 1 of Act No. 855, H. 1168, Regular Session 1969 (Acts 1969, p. 1562), which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 146. To amend the title and Section 1 of Act No. 346, H. 351, Regular Session 1969 (Acts 1969, p. 719), which Act provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 147. To amend the title and Section 1 of Act No. 388, H. 976, Regular Session 1969 (Acts 1969, p. 765), which provides for the payment of expense allowances for members of jury commissions in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 148. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

Also:

By Mr. Fite:

H. 149. To amend the title and Section 1 of Act No. 169, H. 164, 1st Special Session 1964 (Acts 1964, p. 234), which Act fixes the compensation of the coroner in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 151. To amend the title and Section 1 of Act No. 936, S. 15, Regular Session 1961 (Acts 1961, p. 1515) which Act applies to compensation of the jury commission in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 152. To amend the title and Section 1 of Act No. 130, H. 184, 2nd Special Session 1965 (Acts 1965, p. 183), which Act provides for the selection of textbooks and instructional material for use in the public schools in counties classified on a population basis.

Also:

By Mr. Fite:

H. 153. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 154. To amend the title and Section 1 of Act No. 64, H. 737, Regular Session 1969 (Acts 1969, p. 355), which provides for the expenses of members of the Boards of Education in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 155. To amend the title and Section 1 of Act No. 449, S. 419, Regular Session 1963, (Acts 1963, p. 982) which Act provides for the appointment of custodians of state highway shops and garages located in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 156. To amend Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745), which Act provides expense allowances for certain deputy sheriffs of certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 157. To amend the title and Section 1 of Act No. 390, H. 978, Regular Session 1969 (Acts 1969, p. 766), which provides for expense allowances for members of boards of registrars in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 158. To amend the title and Section 1 of Act No. 114, H. 70, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

Also:

By Mr. Fite:

H. 159. To amend the title and Section 1 of Act No. 358, H. 904, Regular Session 1969 (Acts 1969, p. 730) which Act provides an expense allowance for the members of the county board of equalization payable from the general funds of the county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 142, 144, 145, 146, 147, 148, 149, 151, 152, 153, 154, 155, 156, 157, 158, and 159. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 10. Proclaiming the Month of May as Senior Citizens Month.

Also:

S. J. R. 13. NAMING SENATE BILL 66 OF THE 1971 SPECIAL SESSION THE "HARRIS HIGHWAY BUDGETING ACT".

Also:

S. J. R. 14. Condolences in the death of S. Buford Word, M. D.

Also:

S. J. R. 18. Congratulatory Resolution to Dr. James C. Folsom and others.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Kinsey and Benton:

H. J. R. 29. TO MEMORIALIZE CONGRESS TO PASS FEDERAL LEGISLATION ENABLING STATES TO OBTAIN LIBERTY SHIPS FOR USE IN MARINE LIFE CONSERVATION PROGRAMS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owen, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Hearn:

H. J. R. 21. CONGRATULATING REP. HARTWELL LUTZ UPON THE RECENT BIRTH OF HIS SON.

Also:

By Messrs. Waggoner, McBride, Weeks, Boutwell, Ellis, Meeks, Jones (E) and Wallace:

H. J. R. 24. COMMENDING MR. JAMES BENNETT.

Also:

By Messrs. Lutz, Hearn, King, Grainger and Hale:

H. J. R. 25. Congratulating Lloyd A. Bonner upon being selected as a recipient of the 1971 Outstanding College Athlete Award, and other accomplishments.

Also:

By Messrs. Lutz, Hearn, King, Grainger and Hale:

H. J. R. 26. Congratulating and commending the Robert E. Lee (Huntsville) baseball team on winning the State 3A-4A Championship.

Also:

By Messrs. Chesnut, Wynot, Baker, Williams, Carter, Cross, Pruitt, Cauthen, Hill, Stewart, Reid (R), Bank, Grey, Coshatt, Goodwin, Reynolds, Flippo, Crowe, Waldrop, Weeks, Doss, Erdreich, Lyons, McCorquodale, Carnes, Smith (P) and Ellis:

H. J. R. 27. COMMENDING MRS. MARY GEORGE WAITE ON BEING NAMED PRESIDENT OF THE ALABAMA BANKERS ASSOCIATION.

Also:

By Messrs. Waggoner and McBride:

H. J. R. 28. EXTENDING BEST WISHES TO REPRESENTATIVE AND MRS. CHARLES DRAKE BOUTWELL ON THEIR RECENT MARRIAGE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 21, 24, 25, 26, 27 and 28, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ellis and Waggoner:

H. J. R. 32. IN ACCEPTANCE OF A FLAG PRESENTED BY THE LADIES MEMORIAL ASSOCIATION AND THE UNITED DAUGHTERS OF THE CONFEDERACY; CONSIGNING THE SESQUI-CENTENNIAL FLAG TO THE DEPARTMENT OF ARCHIVES AND HISTORY.

WHEREAS the Alabama Flag which now graces the Hall of the House of Representatives is the flag which commemorates the recent Sesqui-Centennial Anniversary of this great State; and

WHEREAS it is now the desire of the people of this State to present this Sesqui-Centennial flag to the Department of Archives and History and to Mr. Milo Howard as director of that department, and to replace the same with a flag which is an emblem of far greater significance and historic value to Alabama; and

WHEREAS prior to the secession of Alabama from the Union, this State had always used the United States flag on formal occasions, but when the Secession Convention met in Montgomery and voted January 11, 1861 to withdraw from the Union, a flag made by the ladies of Montgomery was presented at the request of the donors by Mr. William Lowndes Yancey, leader of the Secession movement, at which time he delivered an eloquent address describing the beautiful symbolism incorporated in this flag; and

WHEREAS after resolutions had been introduced accepting the flag and expressing appreciation for it, but before the adoption of such resolutions Mr. William R. Smith of Tuscaloosa, an opponent of Secession, got the floor and delivered a fiery and patriotic speech expressing his surprise at the flag's presentation; and

WHEREAS Mr. Smith with much impassionment recounted the glories that had been achieved under the glittering folds of the Star Spangled Banner and noted the gallant soldiers that had been therein enshrouded, yet he was overwhelmed with the gorgeous scene displayed upon the unfurling of the flag presented by the ladies of Montgomery; and

WHEREAS even this ardent opponent of Secession was impelled to say, "Presented by the daughters of Alabama! The history of the world teaches, that in times of trouble and danger to her country, woman is always in the van. Her heroism is reserved for revolutions.... What wonder then that now, in these stirring times, when 'grim-visaged war' wrinkles the brow of Peace—what wonder that the daughters of Alabama should thus endeavor to impart to our veins the burning currents of their enthusiasm! What wonder that they should strive, by these graceful devices of female ingenuity, to lift us up to the height of their own hallowed inspiration!

"We accept this flag; and though it glows with but a single star, may that star increase in magnitude and brilliancy, until it out-rivals the historic glories of the Star Spangled Banner"; and

WHEREAS this glorious flag which once flew above our Capitol dome was years later located in 1929 by Miss Fannie Hails of the Alabama Department of Archives and History in the Iowa Historical Memorial and Art Department where it was labeled "captured Confederate battleflag" and where records indicate it was taken by Wilson's Raiders near the end of the war, and although it was not actually returned to Alabama until 1938 after repeated and sustained efforts to obtain its release; and

WHEREAS the Ladies Memorial Association and the United Daughters of the Confederacy in Montgomery, on behalf of the ladies of Alabama, have graciously donated to Alabama a replica of the beautiful flag which was presented to the Alabama Secession Convention; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we accept with grateful appreciation, the most beautiful flag which the Ladies Memorial Association and the United Daughters of the Confederacy in Montgomery have donated on behalf of the ladies of Alabama, and assure them that it will always be treasured as a symbol of their loyalty to this State.

BE IT FURTHER RESOLVED that the Sesqui-Centennial flag which now stands in the Hall of Representatives be presented to and consigned for safe keeping in the Alabama Archives and History Department.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Ladies Memorial Association and the United Daughters of the Confederacy in Montgomery and to Mrs. John K. Rose, past president of the Cradle of the Confederacy Chapter, U. D. C., past president of the Alabama Division of the U. D. C., and past president of the Ladies Memorial Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 32, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Mathews, Casey, Burgess and Stewart:

H. J. R. 31. WHEREAS, much of the success of Jacksonville State University can be attributed to the leadership of Dr. Houston Cole; and

WHEREAS, when Dr. Cole assumed the presidency of the school in 1942, it was a teachers college consisting of five buildings and an enrollment of one hundred nineteen students; and

WHEREAS, this college has grown into a university; with an enrollment of over six thousand, five hundred students, making it the third largest institution of higher learning in the state; there are seventy-five buildings on the campus with a physical plant valued at more than fifty million dollars; and

WHEREAS, during Dr. Cole's years as president the curriculum of the school has changed fantastically. No longer is it a teachers college. It offers many majors, in the bachelor of science and bachelor of arts degrees, a rapidly growing masters degree program, and seven new schools are being developed from the various departments and divisions of the university; and

WHEREAS, the renown of the International House at Jacksonville State University has redounded to the credit of Alabama. Jacksonville students are known throughout the world, and the French Government has decorated Dr. Cole for his work in behalf of world peace through the International House; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library now under construction at Jacksonville State University be named and known as the Houston Cole Library in grateful appreciation for the outstanding services of Dr. Cole.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 31, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Joint Resolution:

By Messrs. Nettles and Ellis:

H. J. R. 14. WHEREAS, The Republican appointed courts of Warren and Burger have usurped the powers of the State Legislatures and the Congress in the field of public education; and

WHEREAS, The public education systems of all the States have been placed in jeopardy by certain recent decisions of the Republican appointed judiciary; and

WHEREAS, The actions of these Warren and Burger courts are abhorred by law abiding people everywhere;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature makes application under the provisions of Article V of the Constitution of the United States that a convention be called for the purpose of proposing an amendment or amendments to the Constitution of the United States on the subject of public education.

BE IT FURTHER RESOLVED That the Clerk of the House is hereby directed to send copies of this resolution and application to the presiding officer of each house of the Congress of the United States and to each member of the Alabama delegation in Congress with the request that they circulate it among the members of Congress.

BE IT FURTHER RESOLVED That the Clerk is further directed to send copies of this resolution and application to the presiding officer of each house of each of the State Legislatures of these United States with the request that it be read before said body.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 14, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Legislative Council:

Messrs. Bank, Cauthen, McCorquodale, Smith (P), Wallace and Brassell.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Legislative Committee on Examiners of Public Accounts:

Messrs. Williams, Jones (F), Turner, Flippo and Kinsey.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Building Commission:

Messrs. Collins, Crowe, Culver and Slate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Reed (T):

H. J. R. 34. TO PROHIBIT THE DISTRIBUTION OF LITERATURE IN THE HOUSE AND SENATE CHAMBERS BY ANY MEANS WITHOUT IDENTIFYING MARKS OF THE DISTRIBUTOR.

WHEREAS, recently there has been several incidents whereby derogatory mail has been placed in the mail boxes and on the desk of the members of the Legislature; and

WHEREAS, this mail has no identifying marks as to who the distributor may be and it appears that there is no constructive intent in the distribution of the material; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That no mail is to be put in any member's mail box or his desk without first being routed through the offices of the Clerk of the House and the Secretary of the Senate.

BE IT FURTHER RESOLVED, That any unauthorized persons attempting to deliver mail shall be detained and questioned by the security force.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 34, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Owen, Malone, Branyon, Foshee, Pelham, Givhan, Harris, Hammond, Littleton, Shelby, Hawkins, Lybrand, Cook, Weaver, Dozier, Noonan, Gilmore, McLain, Jones, Horne, Wilson, King, Vacca and Wilder:

S. 130. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Owen, Malone, Branyon, Foshee, Pelham, Givhan, Harris, Hammond, Littleton, Shelby, Hawkins, Cook, Weaver, Dozier, Noonan, Jones, Gilmore, Horne, McLain, King, Wilson, Vacca, Wilder and Lybrand:

S. 131. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

By Messrs. Givhan, Owen and Hammond:

S. 163. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

The above Bill was read a second time at length as required by the Constitution.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Owen and Hammond:

S. 164 (With Amendment). To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 117. To amend Title 52, Section 148, 1940 Code of Alabama as amended, and to define a city within the meaning of Title 52, Code of Alabama, 1940.

By Messrs. McLain and Pierce:

S. 134. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

By Mr. McLain:

S. 136. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

By Mr. McLain:

S. 137. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

By Mr. McLain:

S. 138. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

By Mr. McLain:

S. 139. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

By Mr. McLain:

S. 140. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

By Mr. McLain:

S. 141. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961, p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

By Mr. McLain:

S. 142. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

By Mr. McLain:

S. 143. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Mr. McLain:

S. 144. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

By Messrs. King, Hammond, Lybrand, Shelby, Littleton, Horne, Bailes, Hawkins, Wilder, Cooper, Branyon, Vacca, Clark, Gilmore, Pelham, Noonan, Wilson, Weaver, Jones, Harris, Owen and O'Bannon:

S. 161. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances,

or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

By Messrs. Vacca and King:

S. 186. To amend Section 455, Title 37, Code of Alabama 1940, relating to the powers of municipal corporations to adopt and enforce ordinances.

By Messrs. Vacca and King:

S. 187. To amend Section 586, Title 37, Code of Alabama 1940, providing for the authority of a Municipal Recorder to fine, punish, imprison, and sentence to hard labor, so as to authorize fines not in excess of two hundred dollars (\$200.00), and to extend the time of payment to ninety days (90) upon confession of judgment.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 204 (With Amendment). To amend further Act No. 382, H. 834, Regular Session 1955 (Acts 1955, p. 916), which provides for the movement of certain oversized vehicles over the public highways of the state, so as to regulate further the width of house trailers that may be moved over such highways.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris (By Request):

S. 23. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

By Mr. Pierce:

S. 211. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 7. (With Amendment). To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 149. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

By Mr. Edington:

S. 75. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

By Mr. Edington:

S. 77. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

By Mr. Dominick:

S. 22. To create, establish and provide for the operation of a legislative fiscal office as a division of the legislative branch of the state government to provide budget review, fiscal analysis and other types of financial information to the standing committees of the legislature and to the individual members of the legislature; to provide for

a director of such office, prescribe his compensation and the manner of his selection; and to provide that such office shall be under the general supervision and direction of a joint fiscal committee, but shall be a separate organization from the legislative reference service and completely independent thereof.

By Mr. Lybrand:

S. 39. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

By Mr. Wilson:

S. 226. Relating to civil remedies and procedure: To provide that in civil cases at law and in equity the jury shall be composed of eight members and three-fourths of the members of a jury may render a lawful verdict in such civil cases.

By Mr. Wilson:

S. 227. Proposing an amendment to the Constitution of Alabama relating to the right to trial by jury; authorizing the legislature to provide by law, for juries composed of less than twelve members in civil cases at law or in equity, and for the rendition of the verdict in any such cases by less than the whole jury.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Wilson:

S. 228. Relating to jury verdicts; amending Code of Alabama 1940, Title 30, Section 101.

By Mr. Vacca:

S. 8. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 48 (With Substitute). To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Vacca, Givhan, King, Dominick, Gilmore and Bailes:

S. 120. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

By Messrs. Dominick and Bailes:

S. 157. Relating to certain contracts for the printing and publication of the acts and journals of the legislature, prescribing further regulations and imposing additional duties upon certain state officers with respect thereto; amending Section 117 of Title 55, Code of Alabama 1940 and Sections 6 and 10 of Act No. 27, S. 30, Regular Session 1949 (Acts 1949, p. 35), all appearing in Code of Alabama, Recompiled 1958 as Sections 117, 133 (1) and 143 (1), respectively.

By Mr. Dominick:

S. 208. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Clark:

S. 214. To amend Sections 8, 14, 26 and 36 (1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

By Mr. Edington:

S. 257. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to 17 persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

RESOLUTIONS

The Resolutions:

S. J. R. 20. Thanking Alabama International Motor Speedway; Rep. Philip H. Smith, Rep. Murray P. McCluskey, and Senator Robert W. Weaver for courtesy shown to members of the Legislature attending the Winston 500 auto race.

Also:

S. J. R. 19. Naming a portion of U. S. Highway 31 the Bob Guillot Whiteway.

Also:

H. J. R. 19. Commending Ashville High School for winning track championship.

Also:

H. J. R. 20. Commending General Oliver W. Dillard upon being raised to the rank of Brigadier General.

were again read and, on motion of Mr. Hawkins, were adopted by the Senate.

The Resolution:

S. R. 21. To memorialize Congress to pass Federal legislation enabling states to obtain liberty ships for use in marine life conservation programs.

was again read and, on motion of Mr. Owen, was indefinitely postponed by the Senate.

Mr. Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. WHEREAS the press of legislative and executive business during the special session just ended has been such that the Governor, Director of Finance, and State Budget Officer have been unavoidably prevented from preparing and transmitting to the two houses the budget document setting forth the Governor's financial program for the ensuing biennium within the time specified in Chapter 4, Title 55, Code 1940; and

WHEREAS additional time for this work is needed and has been requested, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE concurring, That the time for filing the budget document with the Legislature be and hereby is extended until this important work by the officers named herein is completed.

Which was read and referred to the Standing Committee on Rules.

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two house adjourn today, they adjourn to meet again on Tuesday, June 8, 1971, at 2:00 o'clock P. M.

On motion of Mr. Harris, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF CONFERENCE COMMITTEE ON S. J. R. 2

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the Resolution, S. J. R. 2, beg leave to report as follows:

That the Senate of Alabama and the House of Representatives concur in and adopt the following resolution:

"BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, Tuesday, May 4, 1971, they adjourn to meet again on Tuesday, May 25, 1971.

"BE IT FURTHER RESOLVED That any member of the House of Representatives wishing remuneration for this period may receive same by signing a voucher with the Clerk of the House, provided, however, that such voucher must be signed within ten (10) calendar days from the effective date of this Resolution; and

"BE IT FURTHER RESOLVED That any member of the Senate wishing remuneration for this period may receive same by signing a voucher with the Secretary of the Senate, provided however, that

such voucher must be signed within ten (10) calendar days from the effective date of this Resolution."

ROLAND COOPER
BOB HARRIS
RICHARD MALONE
Conferees on part of the Senate

RANKIN FITE
JOHN CULVER
DOUGLAS EASTERS
Conferees on part of the House

CONFERENCE REPORT

On motion of Mr. Cooper, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the differences between the two houses on the House amendment to the Resolution, S. J. R. 2.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Givhan	Lybrand	Owen	
Clark	Harris	Malone	Pelham	
Cooper	King	Noonan	Register	
Dozier	Lindsey	O'Bannon	Wilson	
Foshee	Littleton			—17

Nays:

Messrs.:	Dominick	Horne	Shelby	
Bailes	Edington	Jones	Vacca	
Branyon	Gilmore	Pierce	Wilder	
Cook	Hawkins			—13

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 23. Designating the new medical library facility at the Medical Center of the University of Alabama in Birmingham the "Lister Hill Library of the Health Sciences".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

S. J. R. 22. Extending the time for introduction of the budget document in the Legislature.

The Rules Committee reported the following amendment to the Resolution, S. J. R. 22, to-wit:

AMENDMENT TO S. J. R. 22

Amend S. J. R. 22 so that the last paragraph shall read: "BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE concurring, That the time for filing the budget document with the Legislature be and hereby is extended until not later than the 20th Legislative day".

Mr. Bailes offered the following amendment to the Rules Committee amendment to the Resolution, S. J. R. 22, to-wit:

AMENDMENT TO RULES COMMITTEE AMENDMENT TO S. J. R. 22

Strike out the word "twentieth" and insert the word "fifteenth".

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Branyon	Hammond	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Lindsey	Owen	Wilson	
Foshee				—20

Nays:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Edington	Jones	Vacca	
Cook	Gilmore	King		—10

The question then recurred on the Rules Committee amendment, and said amendment was then adopted by the Senate.

And said Resolution, S. J. R. 22, as thus amended, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Resolution:

S. J. R. 2. Relative to adjournment of the two Houses from May 4 to May 25, 1971.

And herewith returns same to the Senate.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Messrs. Edington, Pelham and Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. Invitation for speaking engagement by Senora Mariflor de Solis.

And said resolution was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie, Taylor, Harris, Jones (F) and Straiton:

H. J. R. 33. MOURNING THE DEATH OF MR. JAMES PORTER HENRY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 33, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 29. Memorializing Congress to pass federal legislation enabling states to obtain liberty ships for use in marine life conservation programs.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

S. 13. Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that

each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than thirteen years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought in the Circuit Court of Montgomery County, Alabama, in Equity; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of education for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the provisions of this Act shall be severable; and providing for the effective date of this Act.

Was taken up.

The Standing Committee on Education reported the following amendment to the Bill, S. B. 13, to-wit:

COMMITTEE AMENDMENT TO S. B. 13

Amend Senate Bill 13 as follows:

In the title of the bill, on the 10th line thereof, strike the word "thirteen" and substitute in lieu thereof the word twelve.

In section 1 of the bill strike the work "three" in the second line of the second paragraph, and substitute in lieu thereof the word six.

In section 3 of the bill, strike the word "thirteen" in the third line and substitute in lieu thereof the word twelve. In the fifth line of section 3, strike the phrase "pre-school aged children" and substitute in lieu thereof the phrase, those six years of age,

On page 10 of the bill, delete paragraph (c) of section 7, and in the last paragraph of section 7, strike "(d)" and substitute in lieu thereof (c).

On page 14, of the bill insert the following paragraph between sections 14 and 15.

Section 15. Repealer. All laws or parts of laws in conflict with this Act are repealed.

On page 14 of the bill, in the last paragraph, renumber "Section 15" to be Section 16.

FURTHER AMEND S. B. 13 AS FOLLOWS

Amend S. B. 13 by striking Section 5 in its entirety and substitute in lieu thereof the following:

"Section 5. Responsibilities of State Board of Education. The State Board of Education shall adopt as soon as may be practicable after the effective date of this Act (but not in any event later than 120 days after said effective date) regulations covering: (a) the qualifications of specialists for each type of exceptionality and standards for certification of exceptional children; (b) minimum standards of instruction and special services to be provided for each type of exceptionality at each age or grade level; (c) reasonable qualifications for teachers, instructors, therapists and other personnel needed to work with exceptional children; (d) guidelines for suitable five-year incremental plans for implementation of the program set forth in this Act for various types of typical situations likely to be encountered by school boards in the State of Alabama; and (e) such other rules and regulations as may be necessary or appropriate for carrying out the purposes of this Act. Said regulations may be amended from time to time, said amended regulations to be effective ninety (90) days after written notice of said amendments has been transmitted to each school board in the State of Alabama. The State Board of Education shall receive, review and approve or disapprove plans submitted by school boards hereunder, and shall consult and advise with school boards whose plans are disapproved. If an approved plan cannot be worked out satisfactorily, the State Board of Education shall provide a plan which shall be binding on the school board unless its enforcement is restrained as provided in Section 4 above. The State Board of Education shall have the primary responsibility for enforcing compliance with such plans and with compliance of school boards with its regulations and the requirements of this Act. On request of the State Board of Education, the Attorney General shall bring civil injunctive suits to enforce this Act and the implementation of the program hereunder. But any private citizen may also bring a suit in said circuit court of Montgomery County, Alabama, in equity, on behalf of an exceptional child for whom he is a parent or guardian and on behalf of any class or persons similarly situated, and the court may award attorney's fees to the prevailing party in such a suit."

FURTHER AMEND S. B. 13 AS FOLLOWS

Amend S. B. 13 by striking Section 6 in its entirety and substitute in lieu thereof the following wording:

"Section 6. School Board Plans. During the fifth year of implementation of the incremental five-year plan referred to above, each school board shall submit a long-range plan for providing appropriate instruction and special services for exceptional children and shall submit said long-range plan to the State Board of Education for its review and approval or disapproval. Such plan, unless thereafter modified with approval of the State Board of Education, shall be adhered to by the school board. Said long-range plans (and all modifications thereof) shall be resubmitted to the State Board of Education for its review and approval or disapproval at such intervals as may be established by the said State Board in regulations but not in any event less often than once every seven years or more often than once every two years. The procedure for approving, disapproving, establishing and enforcing such long-range plans shall be the same as that set forth hereinabove for the incremental five-year plans and the long-range plans shall include such provisions as may be appropriate for the following:

- (1) Establishment of special education classes, instruction, curricula, facilities, equipment and special services;
- (2) Utilization of teachers and other personnel;
- (3) Attendance requirements for exceptional children;
- (4) Services for exceptional children whose condition will not permit them to profit or benefit from any kind of school program, such as day care, recreation programs and other services and facilities; and
- (5) Payment of tuition and other costs for attendance at appropriate public, semi-public or private schools or institutions which may be able to provide appropriate services for all or some exceptional children in comparison with that which can be provided through the public school system, such as, for example: Alabama Institute for Deaf and Blind; Alabama State Training School for Girls; Alabama Boys Industrial School at Mount Meigs; Alabama Boys Industrial School at Birmingham; Children's Center of Montgomery; and Opportunity Center School in Birmingham. Such payment per exceptional child shall not exceed the average per pupil appropriation for all exceptional children in the school district, including allowances for teacher units, transportation and all other public aid for exceptional children. Such payment shall, however, be limited to the extent that the child's needs cannot be met in the public schools and further limited to private institutions which are approved or accredited for such training by the State Board of Education. Institutions which have not met minimal standards as may be prescribed by the State Board of Education shall not be eligible by direct or indirect means to receive state funds. No public funds shall be expended for training in any school or institution outside the State of Alabama."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edgington	Jones	Pierce	
Branyon	Fine	King	Register	
Clark	Foshee	Littleton	Vacca	
Cook	Givhan	Lybrand	Wilder	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins	O'Bannon		—26

Nays:

—0

And said Bill, S. B. 13, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Clark	Givhan	Littleton	Register	
Cook	Hammond	Lybrand	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edgington				—28

Nays:

—0

Mr. Horne requested and received unanimous consent to have the names of all the other Senators added as co-sponsors of the Bill, S. B. 13.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 23. Relative to the adjournment of the two houses.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 2:40 P. M., on motion of Mr. Pelham, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 8, 1971, at 2 o'clock P. M.

SIXTH LEGISLATIVE DAY

TUESDAY, JUNE 8, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Reynolds Ellisor, Minister, Skipperville United Methodist Church, Skipperville, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—33

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate

for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leaves of absence were granted Messrs. Carr and Pierce for today.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 13. Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than twelve years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought in the Circuit Court of Montgomery County, Alabama, in Equity; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of education for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the pro-

visions of this Act shall be severable; and providing for the effective date of this Act.

JAMES S. CLARK,
Chairman.

RECESS

At 2:07 P. M., the Senate stood in recess for ten minutes to honor the memory of the late Mrs. Mildred Paterson Pierce, wife of Senator Pierce.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

RESOLUTIONS

Messrs. Jones, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder, Wilson and Lieutenant Governor Beasley offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. WHEREAS, on Monday, June 7, 1971, death claimed the life of Mrs. Mildred Paterson Pierce, wife of our esteemed colleague, Senator Junie Pierce; and

WHEREAS, Mrs. Pierce was affectionately known as an outstanding example of Christian womanhood, beloved by her family, and loved and respected by her friends; and

WHEREAS, members of this Legislature, both now and in the recent past, have particularly enjoyed her friendship and outspoken integrity; she will long be remembered with great affection as a good friend, as a strong right arm to her husband, and an outstanding inspiration to her children; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we do deeply mourn the death of Mrs. Mildred Paterson Pierce and extend our true and deeply felt sympathy to Senator Pierce, his son, J. J. Pierce, III, and his daughter Ann, Mrs. Robert J. Russell, to whom copies of this resolution shall be sent.

On motion of Mr. Jones, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Hammond:

S. 290. To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 291. Relating to Geene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures and other property within such buildings; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Greene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures, and other property within such buildings; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Greene County Board of Education, the Green County Commission, the Greene County Hospital Board, or other board, commission, authority, public corporation or person charged with the supervision and control of buildings in which the title in whole or in part is vested in Greene County or such other board, commission, authority, public corporation or person may insure such buildings within its jurisdiction and control, together with the furniture, fixtures and property in such buildings for the insurable value thereof, with insurance companies of its own choosing and shall not be required to insure such buildings and property by or through either the State Insurance Fund or the State Department of Finance.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on 3-18-71, 3-25-71, 4-1-71, and 4-8-71, all in the year 1971.

RICHARD K. MARTIN.

Sworn to and subscribed before me 24th Day of April, 1971.

WINONA H. FRANKLIN,
Notary Public.

By Mr. Wilson:

S. 292. To authorize the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Committee on Finance and Taxation.

By Mr. Cook:

S. 293. To amend Act No. 765 of the Regular Session of the Legislature of Alabama of 1969, approved September 12, 1969 (Ala. Acts, 1969, p. 1358 et seq.), which Act provided in every County having a population of 500,000 or more, according to the last or any subsequent federal census, for the creation of a Public Bureau for the purpose of attracting conventions and visitors to the County.

Committee on Local Legislation No. 2.

By Messrs. Cook, Gilmore, Bailes, King, Hawkins, Dominick, Pierce, Jones, Malone, Edington, Foshee and O'Bannon:

S. 294. To provide a code of ethics for the executive and legislative branches of state government and for all state officials and employees therein, and for lobbyists to establish the Alabama Ethics Commission as a permanent agency of state government, to provide for the appointment and terms of its members, and to prescribe its authority, duties and procedure; to define terms; to prescribe penalties for violations of this code of ethics; and to exclude officials and employees of the judicial branch of state government from the provisions of this act.

Committee on Judiciary.

By Messrs. Cook, Bailes, Gilmore, King, Hawkins, Branyon, Pierce, Jones, Malone, Edington, Foshee and O'Bannon:

S. 295. Proposing an amendment to the Constitution of Alabama relative to canons of ethics for the judicial branch of state government and establishing a Commission of Judicial Ethics and to empower the Legislature to provide for a system of retirement for justices, judges and officials of courts.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins and Dominick:

S. 296. To create a Court of Claims in lieu of the state board of adjustment in order to provide a justiciable method of determining and paying awards for claims against the state; to provide for the composition of the court and prescribe its powers, jurisdiction, functions and procedure; to transfer all claims and actions pending before the board of adjustment to the court herein created; to appropriate funds for the

purposes of this act; to repeal conflicting laws and to repeal specifically Act No. 546, H. 871, Regular Session 1935 (Acts 1935, p. 1164), which creates the board of adjustment, and all amendatory acts thereto.

Committee on Judiciary.

By Messrs. Cook, Gilmore, Bailes, King, Hawkins, Dominick, Branyon, Pierce, Jones, Malone, Edington, Foshee and O'Bannon:

S. 297. Relating to judicial procedure, prescribing the time in which prosecution for certain offenses concerning public officers must be commenced; and amending Section 222 of Title 15, Code of Alabama 1940.

Committee on Judiciary.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins, Dominick, Pierce and Jones:

S. 298. To prescribe penalties for acts of extortion committed by any officer or employee of the state or any department or agency thereof, or under color of office.

Committee on Judiciary.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins, Dominick, Pierce and Jones:

S. 299. To amend further Section 9 of Act No. 870, H. 200, Regular Session 1957 (Acts 1957, p. 452), as amended, entitled "An Act To provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties"; so as to delete therefrom certain provisions authorizing the negotiation and awarding of contracts when the price secured is at least 5% under the lowest acceptable bid.

Committee on Judiciary.

By Mr. Dominick:

S. 300. Providing for the conservation of the air quality of the State; the prevention, abatement and control of air pollution and for related purposes; repealing conflicting laws and specifically repealing Act No. 1135, S. 520, Regular Session 1969.

Committee on Health.

By Messrs. Givhan and Branyon:

S. 301. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation of, certain farm products after the hour of sunset and before the hour of sunrise.

Committee on Agriculture.

By Messrs. Givhan and Branyon:

S. 302. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Committee on Agriculture.

By Mr. Cooper:

S. 303. To establish the State Board of Health as the state non-ionizing radiation control agency for regulating, registering and inspecting sources and uses of non-ionizing radiation from sources such as lasers, masers, and microwave ovens which have been proved a detriment to public health; to authorize the agency to cooperate and enter into agreement with the Federal Government, interstate, and state agencies; to empower the agency to accept and administer loans, grants or other funds in furtherance of its functions, and to conduct training or research relative to the control of sources of non-ionizing radiation; to provide for enforcement of this Act; to prescribe penalties for violation of this Act, to repeal conflicting laws, to provide for the effective date of this Act; and to provide an appropriation for carrying out the purposes of this Act.

Committee on Health.

By Mr. Cooper:

S. 304. To provide for the operation of cotton wagons over the public roads of the state.

Committee on Transportation and Common Carriers.

By Messrs. Foshee, Littleton, Fine, Weaver, Jones, Dozier, Wilder, Cook, Horne, Edington, King, Dominick, Gilmore, Vacca, Hawkins and Bailes:

S. 305. To require the director of finance to vacate certain space in the capitol and designate such space for the use of the legislature within sixty days.

Committee on Judiciary.

By Messrs. Clark, Register and Pelham:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Committee on Finance and Taxation.

By Messrs. Clark, Register and Pelham:

S. 307. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Committee on Finance and Taxation.

By Mr. Clark:

S. 308. To further amend Section 257, Title 13, Code of Alabama 1940, as amended, which fixes the compensation of the deputy district attorney of certain counties.

Committee on Local Legislation No. 1.

By Messrs. Pelham, Noonan and Edington:

S. 309. To apply in all counties having a population of 300,000 or more, according to the last or any future federal census: To further regulate the Probate Court in such counties, and to relieve and exempt the Probate Judge in such counties from personal liability for errors, mistakes and omissions of employees serving under any merit system act or civil service system.

Committee on Judiciary.

By Messrs. Pelham, Noonan and Edington:

S. 310. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 311. To designate certain employees of the department of conservation as peace officers of the State of Alabama and to define their powers.

Committee on Conservation.

By Mr. Register:

S. 312. To amend further Section 4 of Act No. 3, H. 64, Regular Session 1967 (Acts 1967, p. 336), as amended, an act relating to the deposit of money of the state in state depositories, so as to require such depositories to make certain student loans available.

Committee on Finance and Taxation.

By Mr. Vacca and King:

S. 313. To amend Section 210 of Title 13 of the 1940 Code of Alabama, which relates to the appointment, term and removal of registers of circuit courts.

Committee on Judiciary.

By Messrs. Lybrand, Cooper, Clark, Pelham, Branyon, Hammond, Weaver, Harris, Register and Owen:

S. 314. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama, as heretofore amended, so as to make further provisions with respect to the disposition of that portion of the proceeds from the state gasoline excise tax that is referred to in said Act No. 224 as the local subdivisions' share of the net tax proceeds.

Committee on Finance and Taxation.

By Mr. Harris:

S. 315. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member bank of the Federal Reserve System, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

Committee on Education.

By Mr. McLain:

S. 316. To authorize the Madison County Commission to provide for the relief of Howard Childers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

Be It Enacted by the Legislature of Alabama:

To authorize the Madison County Commission to provide for the relief of Howard Childers.

Section 1. The Madison County Commission is hereby authorized to provide disability benefits for Howard Childers who was blinded on November 5, 1969 while in the performance of his official duties as a deputy sheriff of Madison County. It is hereby declared that the injury occurred under such circumstances that the County of Madison is morally and justly obligated to compensate the said Howard Childers for his injury but that he has no recourse at law to recover the same. Said county commission is authorized to compensate the said Howard Childers in the same amount as he would receive if he were entitled to workmen's compensation for permanent total disability as defined in Code of Alabama 1940, Title 26, Section 279(E), as amended, and subject to the same limitations as prescribed in Sections 289 and 299 of said title, as amended. All payments of such compensation shall be paid out of the general fund of Madison County upon the warrant of the chairman of the county commission that such payment is due.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gary Buckner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 14, May 20, May 25, and May 31, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me June 7, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

By Mr. McLain:

S. 317. To amend Sections 1 and 3 of Act No. 917, H. 1307, Regular Session 1969, an act authorizing all incorporated cities and towns within the State to provide by ordinance for the levy and assessment of sales taxes, parallel to the state levy as levied by Act No. 100, H. 94, Second Special Session 1959, as amended, and for the levy and assessment of use taxes, parallel to the state levy as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, so as to provide further for exemptions to the provisions of said act.

Committee on Municipal Government.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 34. Prohibiting the distribution of literature in the House and Senate Chambers by any means without identifying marks of the distributor.

Also:

H. J. R. 19. Commending Ashville High School for winning Track Championship.

Also:

H. J. R. 20. Commending General Oliver W. Dillard upon being promoted to the rank of Brigadier General.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 10. Proclaiming the month of May as Senior Citizens Month.

Also:

S. J. R. 18. Congratulating Dr. James C. Folsom and others.

Also:

S. J. R. 13. Naming Senate Bill 66 the "Harris Highway Budgeting Act."

Also:

S. J. R. 14. Mourning the death of S. Buford Word, M. D.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

SENATE MEMBER APPOINTED ON
EDUCATION COMMISSION OF THE STATES

The President and Presiding Officer of the Senate announced that he had appointed Honorable Doug Cook as a Commissioner on the Education Commission of the States.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Nettles, Stokes, Roberts, Perloff, Callahan, Collins, Therrell, Downing and Lyons:

H. J. R. 30. RESOLUTION MOURNING THE DEATH OF ASSISTANT FIRE CHIEF JOHN DOYLE WILLETT OF MOBILE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H J. R. 30, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 22. Relative to the budget document setting forth the Governor's financial program for the ensuing biennium within the time specified in Chapter 4, Title 55, Code 1940.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 19. Naming a portion of U. S. Highway 31 the Bob Guillot Whiteway.

Also:

S. J. R. 20. THANKING ALABAMA INTERNATIONAL MOTOR SPEEDWAY; REP. PHILLIP H. SMITH, REP. MURRAY P. MCCLUSKEY, AND SENATOR ROBERT W. WEAVER FOR COURTESY SHOWN TO MEMBERS OF THE LEGISLATURE ATTENDING THE WINSTON 500 AUTO RACE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ellis, Lyons, Gloor, Adams, Adwell, Agee, Baker, Bank, Barkett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Cherner, Chesnut, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Easters, Edwards, Falkenburg, Fite, Gafford, Goodwin, Gray (F), Grey (D), Hardin, Harris, Headley, Hobbie, Jackson, Jones (E), Jones (F), Kinsey, Lang, McCluskey, McCorquodale, McDonald, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker (H), Parker (T), Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Straiton, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Williams, Wise and Wynot:

H. J. R. 39. In grateful appreciation to the Madison County Senate and House Delegation and the City of Huntsville, Alabama for a most memorable and enjoyable June 3, and 4, 1971.

WHEREAS, The Senators and Representatives and both Houses' employees do hereby state, and wish to express for the record; that

WHEREAS, we attended a meeting in Huntsville, Alabama at the invitation of its Legislative delegation; and

WHEREAS, the Legislature of Alabama was overwhelmed by the "Red Carpet" and V. I. P. treatment afforded them by their host; and

WHEREAS, the kindness, amenities and gifts showered on us will be long remembered and remain a lasting treasure; and

WHEREAS, we are aware of the tremendous pride of accomplishment in the space effort, the natural beauty of the land, and warm hearts of her people; and

WHEREAS, we are also aware of the great place in history that this city and her people have had, mothering our state and providing its first capitol; and

WHEREAS, Huntsville's growth has been phenomenal and has truly become one of Alabama's great cities,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That we wish to express to the fine people of Huntsville and Madison County our heartfelt thanks for their kind invitation and most gracious hospitality to us; and

BE IT FURTHER RESOLVED, That we wish them further success and Godspeed; and

BE IT FURTHER RESOLVED, That copies of this resolution be presented to the Madison County delegation, the City of Huntsville and their newspapers to attest to our most sincere appreciation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 39, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

ADOPTION OF RESOLUTIONS

The Resolutions:

S. J. R. 24. Invitation for speaking engagement by: Senora Mari-flor de Solis.

Also:

H. J. R. 21. Congratulating Rep. Hartwell Lutz upon the recent birth of his son.

Also:

H. J. R. 24. Commending Mr. James Bennett.

Also:

H. J. R. 25. Congratulating Lloyd A. Bonner upon being selected as a recipient of the 1971 Outstanding College Athlete Award, and other accomplishments.

Also:

H. J. R. 26. Congratulating and commending the Robert E. Lee (Huntsville) baseball team on winning the State 3A-4A Championship.

Also:

H. J. R. 27. Commending Mrs. Mary George Waite on being named President of the Alabama Bankers Association.

Also:

H. J. R. 28. Extending best wishes to Representative and Mrs. Charles Drake Boutwell on their recent marriage.

Also:

H. J. R. 31. The library under construction at Jacksonville State University be named and known as the Houston Cole Library.

Also:

H. J. R. 32. In acceptance of a flag presented by the Ladies Memorial Association and the United Daughters of the Confederacy; consigning the Sesqui-Centennial Flag to the Department of Archives and History.

Also:

H. J. R. 33. Mourning the death of Mr. James Porter Henry. were again read and, on motion of Mr. McLain, were adopted by the Senate.

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. MOURNING THE DEATH OF J. JAMES TEAL CIRCUIT CLERK OF BARBOUR COUNTY FOR 24 YEARS.

And said resolution was read and ordered to lay over on the Secretary's desk.

Messrs. Horne, Weaver, Owen, Fine, Foshee, Vacca, Dozier, Littleton, Dominick, Branyon, Noonan, Malone, Wilder, Register, McLain, King, Hammond, and Shelby offered the following Senate Resolution, to-wit:

S. R. 27. TO AUTHORIZE THE EMPLOYMENT OF FEMALES AS PAGES IN THE SENATE.

WHEREAS girls have been traditionally excluded from employment as pages in the Senate of the Legislature of Alabama; and

WHEREAS such exclusion is not only a crass denial of civil rights to a particular segment of society which is equally in need of employment for the furtherance of education or for remuneration for other necessary expenses, but it is a practice which this deliberative body should not engage in or perpetuate; and

WHEREAS experience has proved that young women make highly efficient and responsive employees in wide and varied fields of endeavor, and the successful employment of the fairer sex as pages in the Alabama House of Representatives is a case in particular point; and

WHEREAS the Senate, by excluding young women from employment as pages, it not only denying itself the opportunity of employing some of the best assistance available, but it is also obviating the oppor-

tunity of improving the decor of this august hall at no additional cost; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the Secretary of the Senate be authorized and directed to employ pages for the Senate without regard to sex and to give full consideration for equal employment to persons with equal qualifications without any discrimination whatsoever.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 25. Mourning the death of Mrs. Mildred Paterson Pierce, wife of Senator Junie Pierce.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adams, Brassell and Turnham:

H. 302. Relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000 according to the most recent federal decennial census; to provide further for the election of the commissioners in such cities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 302. To the Committee on Local Legislation No. 1.

BILLS ON THIRD READING

The Bill:

S. 130. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

was taken up.

Mr. Cooper offered the following Motion in Writing, to-wit:

"I move that Senate Bill 130 be carried over to the Tenth Legislative Day without losing its place on the calendar."

On motion of Mr. Owen, said Motion in Writing was laid on the table.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Edington	Hawkins	Noonan
Bailes	Fine	Horne	Owen
Branyon	Foshee	King	Peiham
Cook	Gilmore	Littleton	Shelby
Cooper	Givhan	McLain	Vacca
Dominick	Hammond	Malone	Wilder
Dozier	Harris		

—25

Nays:

Messrs.:			
Clark	Lybrand	Register	Weaver

—4

And said bill, S. B. 130, was then read a third time at length as required by the Constitution.

Mr. Cooper then offered the following Motion in Writing, to-wit:

"I move that Senate Bill 130 be carried over until the Thirtieth Legislative Day."

On motion of Mr. Owen, said Motion in Writing was laid on the table.

Mr. Cooper then offered the following Motion in Writing, to-wit:

"I move that Senate Bill 130 be carried over until the Twenty-fifth Legislative Day."

ADJOURNMENT

At 5:15 P. M., on motion of Mr. Hammond, pending further consideration of S. B. 130, the Senate adjourned until Thursday, June 10, 1971, at 12 o'clock Noon.

SEVENTH LEGISLATIVE DAY

THURSDAY, JUNE 10, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER.

The Session was opened with prayer by the Reverend Dale Huff, Assistant Minister, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Pelham for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 318. To amend Section 1 of Act No. 628, page 1082, Acts of Alabama 1951, entitled "An Act to further provide for the issuance of hunting and fishing licenses." To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Committee on Finance and Taxation.

By Mr. O'Bannon:

S. 319. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make future changes therein, to govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

Committee on Judiciary.

By Messrs. King, Vacca, Cook, Bailes and Dominick:

S. 320. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

Committee on Judiciary.

By Messrs. King, Vacca, Cook, Bailes and Dominick:

S. 321. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Committee on Judiciary.

By Mr. Weaver:

S. 322. To amend Section 1 and Section 2 of Title 48 of the Code of Alabama of 1940 relating to the number, election, and terms of office of the Public Service Commission so as to increase the membership of said Commission.

Committee on Judiciary.

By Messrs. Givhan, Vacca and Hawkins:

S. 323. To make an appropriation for the support and maintenance of Marion Institute, located in Perry County.

Committee on Finance and Taxation.

By Mr. Wilder:

S. 324. To make appropriations for the support and maintenance of Lyman Ward Military Academy.

Committee on Finance and Taxation.

By Mr. Wilder:

S. 325. To make appropriations for support and maintenance of the Tuskegee Institute, located in Tuskegee, in Macon County.

Committee on Finance and Taxation.

By Mr. Lindsey:

S. 326. Relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal census; to fix compensation and traveling expenses of the Superintendent of Education; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 327. To provide that no person may serve more than two terms on the Public Service Commission.

Committee on Transportation and Common Carriers.

By Mr. Dozier:

S. 328. Relating to the Twelfth Judicial Circuit of Alabama; to allow prospective jurors to be excused without the presence of the Defendant in the Twelfth Judicial Circuit of Alabama.

Committee on Judiciary.

By Mr. Dozier:

S. 329. Relating to the Twelfth Judicial Circuit of Alabama; providing for separation of the Jury by consent in the Circuit Courts of the Counties composing such Circuit.

Committee on Judiciary.

By Mr. Dozier:

S. 330. To regulate the compensation of Jurors in the Twelfth Judicial Circuit of Alabama.

Committee on Judiciary.

By Mr. Clark:

S. 331. To regulate the practice of Landscape Architecture; to provide for the registration of qualified persons as professional Landscape Architects; to create a State Board of Registration for Professional Landscape Architects; to provide for the appointment and compensation of its members; to fix the term of members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish fees with expiration and renewal requirements; to limit the public works that can be constructed by the State and political subdivisions thereof without Landscape Architecture supervision by persons properly registered; and to provide for the enforcement of this Act and penalties for its violation; and to repeal conflicting laws.

Committee on Judiciary.

By Mr. Clark:

S. 332. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party".

Committee on Judiciary.

By Mr. Noonan:

S. 333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

Committee on Finance and Taxation.

By Messrs. Noonan and Edington:

S. 334. To provide that the laws governing the county-wide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Owen, Shelby, Hammond, Jones, Pierce and Dozier:

S. 335. To create the Alabama Collection Commission, to provide for the method of appointment thereto, to authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Alabama Collection Commission, to fix bonds for the operation thereof, and to set the methods of operating in Alabama.

Committee on Judiciary.

By Messrs. Edington and Lybrand:

S. 336. Relating to Public Health; requiring fluoridation of municipal water supplies; prescribing the powers and duties of the State Board of Health in relation thereto.

Committee on Health.

By Mr. Owen:

S. 337. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Committee on Local Legislation No. 1.

By Mr. Register:

S. 338. To establish the Alabama higher education assistance commission; to permit the commission to guarantee higher education loans to Alabama students; and to make an appropriation to the commission.

Committee on Finance and Taxation.

By Messrs. Wilson, Jones, Gilmore, Noonan, Shelby, Edington, Pierce, Carr, Dozier, Register, Bailes and Malone:

S. 339. Providing further for the construction, maintenance, and repair of the county public roads and bridges in this State; providing that this Act shall apply only in those counties in which the construction, maintenance and repair of such roads and bridges is not currently being done on the basis of the county as a unit; providing for the construction, maintenance and repair of county roads and bridges in such counties hereafter on the county unit basis; providing for the appointment of a county engineer for each of such counties; prescribing his qualifications, and providing for his compensation; and prescribing the powers and duties of the county engineer and the members of the county commission or like governing body of the counties in which this Act applies in regard to the construction, maintenance, and repair of the county public roads and bridges.

Committee on County Government.

By Messrs. Wilson, Lybrand, Harris, Lindsey, Cooper and Jones:

S. 340. To authorize the Director of the Highway Department to issue special permits for the movement of house trailers and mobile homes and to specify the fee therefor.

Committee on Transportation and Common Carriers.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 19. Naming a portion of U. S. Highway 31 the Bob Guillot Whiteway.

Also:

S. J. R. 20. Thanking Alabama International Motor Speedway and others for courtesy shown to members of Legislature attending the Winston 500 Auto Race.

Also:

S. J. R. 22. Extending the time for filing the budget.

Also:

S. J. R. 25. Mourning the death of Mrs. Mildred Paterson Pierce.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham and Brassell:

H. J. R. 47. WHEREAS Peggy Dockery, an outstanding graduate of Auburn University, has been selected as "the International Scholar of 1971 and America's Ambassador to Europe and Asia" after competing with 4,793 other college students throughout the nation and

WHEREAS Miss Dockery's selection was based on her outstanding campus activities and scholastic abilities which included "the most outstanding Auburn University woman of 1970-71," President of the War Eagle girls, school beauty, Alabama's model of the year, Who's Who in fraternities and sororities, the most outstanding Junior American award and, in addition, is the recipient of a full scholarship from the graduate fashion design school of New York, and

WHEREAS, Miss Dockery by her actions and abilities has caused the State of Alabama to receive considerable recognition and praise now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Miss Peggy Dockery for her many achievements and for her recent selection as the international scholar for 1970-71 and that the Senate consider this day, June 10, 1971, as Peggy Dockery Day.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the family of Peggy Dockery and the President of Auburn University.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilmore, the Rules were suspended and the Resolution, H. J. R. 47, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hardin and Bassett:

H. 424. To repeal Act No. 198, S. 154, approved July 25, 1963, entitled, "An Act to fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 24,525 nor more than 24,675 according to the last or any subsequent federal decennial census." (Acts of Alabama, 1963, p. 597).

Also:

By Messrs. Hardin and Bassett:

H. 425. To amend the title and Section 1 of Act No. 396, H. 1025, Regular Session 1969 (Acts 1969, p. 771), which Act relates to the meetings of boards of registrars of certain counties classified on a population basis.

Also:

By Messrs. Hardin and Bassett:

H. 426. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which Act regulates further the conduct of certain municipal elections in certain cities classified on a population basis.

Also:

By Messrs. Hardin and Bassett:

H. 427. To amend the title and Section 1 of Act No. 472, H. 596, Regular Session 1967 (Acts 1967, p. 1162), which Act provides for an allowance for clerical assistance for tax assessors in certain counties classified on a population basis.

Also:

By Messrs. Perloff, Stokes, Therrell, Nettles, Callahan, Wood, Downing, Roberts, Collins, Lyons, Gafford, Dill, Timmons, Bowers, Wallace, Jones (E), Boles, Meeks, Cherner, Erdreich, Doss, Gloor, Weeks, Boutwell, McBride, Waggoner, Parker (H), Falkenburg, Ellis and Adwell:

H. 408. To apply in all counties having a population of 300,000 or more, according to the last or any future federal census: to further regulate the probate court in such counties, and to relieve and exempt the probate judge in such counties from personal liability for errors, mistakes and omissions of employees serving under any Merit System Act or Civil Service System.

Also:

By Messrs. Perloff, Therrell, Collins, Downing, Stokes, Roberts, Nettles, Wood, Callahan and Lyons:

H. 438. Relating to Mobile County; authorizing the Board of Health of said county to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; authorizing the Board of Health of said county to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Health of Mobile County is hereby authorized to charge and collect any fee it deems necessary and proper for any service rendered by its officers, employees or agents in the performance of duties, functions, and programs required by law or by regulation of the county or state board of health. The Board of Health of Mobile County may fix a schedule of such fees involved in performing each service, and may change such schedule as it deems proper. The provisions of this act shall not apply to fees charged for services rendered in connection with vital statistics.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Egan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the MOBILE PRESS REGISTER, INC., a newspaper of general circulation published in MOBILE County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May, 8, 15, 22, and 29, all in the year 1971.

W. F. EGAN.

Sworn to and subscribed before me May 31, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Perloff, Callahan, Therrell, Collins, Downing, Stokes, Roberts, Wood, Lyons and Nettles:

H. 439. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

Also:

By Messrs. Hale, King, Lutz, Grainger and Hearn:

H. 445. To authorize the Madison County Commission to provide for the relief of Howard Childers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

To authorize the Madison County Commission to provide for the relief of Howard Childers.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission is hereby authorized to provide disability benefits for Howard Childers who was blinded on November 5, 1969 while in the performance of his official duties as a deputy sheriff of Madison County. It is hereby declared that the injury occurred under such circumstances that the County of Madison is morally and justly obligated to compensate the said Howard Childers for his injury but that he has no recourse at law to recover the same. Said county commission is authorized to compensate the said Howard Childers in the same amount as he would receive if he were entitled to workmen's compensation for permanent total disability as defined in Code of Alabama 1940, Title 26, Section 279(E), as amended, and subject to the same limitations as prescribed in Sections 289 and 299 of said title, as amended. All payments of such compensation shall be paid out of the general fund of Madison County upon the warrant of the chairman of the county commission that such payment is due.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effectively immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on MAY 14, MAY 20, MAY 25, and MAY 31, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me MAY 31, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Straiton, Harris, Taylor, Jones (F) and Hobbie:

H. 452. To amend Sections 10 and 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court, in relation to the compensation of the judge of the court, and court costs.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 4, 10 and 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court, in relation to the amount of jurisdiction, compensation of the judge of the court, and court costs.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court (Acts 1961, v. 2, p. 1433), is hereby amended to read as follows:

"Section 4. That in all civil cases arising in Montgomery County, where the amount involved does not exceed five hundred dollars or the value of the property sued for in an action of detinue does not exceed five hundred dollars, and in all cases of forcible entry and detainer and unlawful detainer cognizable in said county, the said Court shall have and exercise final jurisdiction, but it shall not have juris-

diction to try and determine actions of libel, slander, assault and battery, ejectment or actions in the nature of ejectment."

Section 2. Section 10 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court (Acts 1961, v. 2, p. 1433), as heretofore amended, is hereby further amended to read as follows:

"Section 10. That the salary of the Judge of this Court shall be Eighteen Thousand Dollars per annum, payable in equal Monthly installments out of the general fund of the treasury of Montgomery County, upon warrants drawn upon the county treasury, in the same manner as the salaries of the other county officers are now paid."

Section 3. Section 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court (Acts 1961, v. 2, p. 1433) is hereby amended to read as follows:

"Section 30. That the same fees and costs that are now or may hereafter be allowed by law to justices of the peace in all civil and criminal cases shall be taxed and collected by the clerk in such cases in said Court in the same manner as is now or may hereafter be provided by law for taxing and collecting costs in the courts of justices of the peace in this State, and when collected shall be paid by the clerk of said Court once a month into the treasury of said county; provided that in civil cases for summons and proceedings thereon if the claim be for no more than \$50., the fee for the clerk of the court shall be 50c; if the claim be for more than \$50. and not more than \$100., the fee shall be \$1; if the claim be for more than \$100. and not more than \$250., the fee shall be \$1.50; if the claim be for more than \$250. and not more than \$500., the fee shall be \$3. And provided further, that where the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or on a conditional sales contract, the balance of the mortgage debt or purchase price as the case may be or the value of the property in suit, whichever may be greater, shall be used for determining the amount of costs to be taxed and collected."

Section 4. That if for any reason any section, clause, or provisions of this Act shall be declared invalid or unconstitutional, it shall not be deemed or held to effect any other section, clause, or provision, but the same shall remain in full force and effect.

Section 5. That all laws, whether local, general, or special, in conflict with the provisions of this Act be, and the same are hereby repealed, insofar as they may conflict with the provisions of this Act.

Section 6. Provisions of this Act contained in Sections 1 and 3 above shall take effect on October 1, 1971, and the provisions contained in Section 2 above shall take effect on the first Monday after the second Tuesday in January 1973, at the beginning of a new term of the Judge of this Court.

W. T. JOHNSON, being sworn, says that he is editor and publisher of The Montgomery Independent, a weekly newspaper of general circulation, printed and published in the City and County of Montgomery, Alabama, and that the attached notice appeared in the issues of April 22, 29, May 6, 13 of The Montgomery Independent.

W. T. JOHNSON.

Sworn to and subscribed before me this the 24th day of May, 1971.

SUSAN WARD JOHNSON,
Notary Public.

My commission expires Feb. 2, 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 424, 425, 426, 427, 408, 438, 439, 445, and 452. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Baker and Chesnut:

H. 214. To provide a secretary for the County Solicitor (Deputy District Attorney) of DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF OF PUBLICATION

NOTICE OF PROPOSED
LOCAL LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide a secretary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Solicitor (Deputy District Attorney) of DeKalb County, Alabama is authorized a full-time secretary.

Section 2. The secretary of a County Solicitor (Deputy District Attorney) of DeKalb County shall receive an annual salary of Forty-eight Hundred Dollars (\$4800.00), payable in equal monthly installments out of any funds in the County Treasury designated by the DeKalb County Commission or Governing body of said county.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Charles E. Hurley, who being me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

have appeared in the issues of said paper on December 29, 1970, January 5, 1971, January 12, 1971, and January 19, 1971, all in the year, 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me on this 15th day of May, 1971.

MARY RUTH BROWN,
Notary Public.

By Messrs. Cross and Carter:

H. 217. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution, and to prescribe penalties for violation of this Act.

Also:

By Mr. Stubbs:

H. 314. To allow prospective jurors to be excused without the presence of the defendant in capital cases in the Eighteenth Judicial Circuit of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the next special or regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL TO BE ENTITLED AN ACT to allow prospective jurors to be excused without the presence of the defendant in capital cases in the 18th Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Eighteenth Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

THE STATE OF ALABAMA
CLAY COUNTY

Before me Blanch Alexander, a Notary Public, in and for said County, personally appeared Mrs. R. M. Ussery, who duly sworn, deposes and says that she is the publisher of The Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice, A Bill To Be Entitled An Act a copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, commencing in the issued of March 18, 1971, and ending in the issue of April 8, 1971.

MRS. R. M. USSERY,
Publisher.

Sworn to and subscribed before me, this 9th day of April, 1971.

BLANCH ALEXANDER,
Notary Public.

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the next special or regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL TO BE ENTITLED AN ACT to allow prospective jurors to be excused without the presence of the defendant in capital cases in the 18th Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Eighteenth Judicial Circuit Court in the Eighteenth Judicial Cir the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Goodwater, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated March 18, 1971, and ending with the issue dated April 8, 1971.

J. C. HENDERSON.

Subscribed and sworn before me this 8th day of April, 1971.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the next special or regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL TO BE ENTITLED AN ACT to allow prospective jurors to be excused without the presence of the defendant in capital cases in the 18th Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Eighteen Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof as follows: March 18, 25, April 1, 8, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 9th. day of April, 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Turnham:

H. 413. To amend further Act No. 394, H. 828, Regular Session 1961, an Act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 394, H. 828, Regular Session 1961, an Act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961, (Acts 1961, p. 406), an Act providing for deputies and assistants of the sheriff of Lee County, as amended, is further amended to read as follows:

"Section 1. The Lee County Commission shall provide the sheriff of the county with one chief deputy, one assistant chief deputy, one investigator, and two assistant deputies and in its discretion seven additional assistant deputies, three jailers and one deputy clerk. The chief deputy shall receive not less than six hundred dollars (\$600.00) nor more than seven hundred dollars (\$700.00) monthly; the assistant chief deputy shall receive not less than five hundred dollars (\$500.00) nor more than six hundred dollars (\$600.00) monthly; the investigator shall receive not less than five hundred fifty dollars (\$550.00) nor more than six hundred fifty dollars (\$650.00) monthly; each assistant deputy shall receive not less than four hundred seventy dollars (\$470.00) nor more than five hundred fifty dollars (\$550.00) monthly; each jailer shall receive not more than four hundred dollars (\$400.00) monthly; and the deputy clerk shall receive no more than three hundred and fifty dollars (\$350.00) monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. This Act shall be retroactive to January 18, 1971.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Opelika-Auburn Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1971.

MILLARD B. GRIMES.

Sworn to and subscribed before me June 1, 1971.

DOROTHY W. MITCHELL,
Notary Public.

Also:

By Mr. Turnham:

H. 414. To provide for the appointment of the county superintendent of education of Lee County by the county board of education; prescribing his qualifications and providing for his powers, duties and removal; repealing Act No. 266, H. 611, Regular Session 1931, and all other conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of the county superintendent of education of Lee County by the county board of education; prescribing his qualifications and providing for his powers, duties and removal; repealing Act No. 266, H. 611, Regular Session 1931, and all other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Lee County shall appoint the county superintendent of education, who shall serve for such term as the board may prescribe. The county board of education may remove the superintendent of education, at any time for immorality, misconduct in office, incompetency, wilful neglect of duty, or when the best interests of the schools require it.

Section 2. The county superintendent of education shall be the chief executive officer of the county school system, and he shall have the qualifications and shall perform and discharge all the duties of county superintendents of education as now or hereafter required or provided by the general laws of the State.

Section 3. Act No. 266, H. 611, Regular Session 1931 (Local Acts 1931, p. 124) and all other laws and parts of laws in conflict herewith are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall take effect at the expiration of the term of the incumbent superintendent of education of Lee County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Opelika-Auburn Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1971.

MILLARD B. GRIMES.

Sworn to and subscribed before me June 1, 1971.

DOROTHY W. MITCHELL,
Notary Public.

Also:

By Mr. Turnham:

H. 415. To repeal Act No. 297, H. 513 of the Regular Session of 1965 (Acts 1965, p. 414) entitled "An Act To apply in counties having populations of not less than 49,500 nor more than 50,500; providing for payment of expense allowances for the deputy or county solicitors of such counties from the county treasury."

Also:

By Mr. Turnham:

H. 416. To fix the compensation of the sheriffs of all counties having populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to repeal conflicting laws; and to give this Act retroactive effect.

Also:

By Mr. Fite:

H. 419. To fix the compensation of the Assistant District Attorney in counties having a population of not less than 16,600 nor more than 16,950.

Also:

By Messrs. Hardin and Bassett:

H. 421. To amend the title and Section 1 of Act No. 158, H. 28, Special Session 1961 (Acts 1961, p. 2106), which Act provides further for jury trials in land line and boundary dispute trials in certain counties on a population basis.

Also:

By Messrs. Hardin and Bassett:

H. 422. To repeal Act No. 1031, S. 624, approved September 9, 1961, entitled, "An Act providing further for the compensation of members of the jury commission in counties having a population of not less than 24,550 nor more than 24,650 inhabitants, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1617).

Also:

By Messrs. Hardin and Bassett:

H. 423. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of the jury commission in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 214, 217, 314, 413, 414, 415, 416, 419, 421, 422, and 423. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDonald, Lyons, Gloor, Smith (P), Carter, Dill, Snell, Waggoner, Drake, Weeks, Jones (E), Adwell, Falkenburg, Bowers, Ellis, Boutwell, McBride and Boles:

H. 387. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 387. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Snell, Barkett, Turnham, Reed (T), Edwards, Adams, Jones (F), Turner, McBride, Wynot, Hardin, Brassell, Hobbie, Owens, Crawford, Headley, Mims, Connell, Stubbs, Wise, Benton, Kinsey, May, Bassett, Straiton, Agee, Warren, Hale, Nettles and Smith (K):

H. 99. Relating to local funds for support of public schools; requiring a prescribed minimum of financial local support of public schools; prescribing penalties for failure to meet such minimum requirements; providing for the time for making of computations and calculations of such minimum requirements; providing for recalculation of such minimum requirements; defining local support and providing for the repeal of Act No. 33 of the Special Session of the Alabama Legislature 1969, and all other laws in conflict herewith.

Also:

By Messrs. Warren, Mims and Nettles:

H. 32. To amend Sections 344, 345, 346, 347, 348, 349, 350 and 351 of Title 45, Code of Alabama 1940, relating to execution of death sentence; so as to provide further for place of execution.

Also:

By Mr. Smith (P):

H. 181. To amend the title and Section 1 of Act No. 1125, S. 369, Regular Session 1969 (Acts 1969, p. 2084), which act authorizes and provides for appointment of police officers to maintain law and order at state colleges and universities, so as to authorize the employment of such officers at the Alabama Institute for Deaf and Blind.

Also:

By Messrs. Jackson, Wise and Crawford:

H. 34. To amend Section 1 of Act No. 780, S. 24, Acts of Alabama, 1951 Regular Session (Acts 1951, p. 1375), which provides for tags for motor vehicles owned and used by state, county or municipality so as to provide distinctive tags for vehicles of municipal gas districts.

Also:

By Messrs. Gloor, Williams, Wood, Bank, Hardin, Crawford, Drake, Adwell, McCluskey and Slate:

H. 207. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances, or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 99. To the Committee on Education.

H. B.'s 32, 34, and 181. To the Committee on Judiciary.

H. B. 207. To the Committee on Municipal Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cross and Carter:

H. 376. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees

Also:

By Messrs. Cross and Carter:

H. 377. To create an inferior court for Lawrence County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Enrolled, An Act, To create an inferior court for Lawrence County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Lawrence County a court with county-wide limited jurisdiction. The court shall be known as the "Intermediate Court of Lawrence County." It shall not be a court of record, but all papers and documents filed in such court shall be kept for public inspection.

Section 2, (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases, and actions cognizable before the circuit court, or

a county court, or justices of the peace court or courts created in lieu thereof, and the juvenile court, as provided by general laws. However, the procedure in juvenile cases shall be prescribed for juvenile cases as provided in Alabama Code, Title 13, Chapter 7, The jurisdiction of the court with respect to juvenile cases shall be exclusive.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or actions in the nature of ejectment or of any civil action, nor take cognizance of any matter or proceeding in equity.

Section 3. (a) The judge of the court shall be a resident citizen and a qualified elector of Lawrence County at the time of his appointment or election, and shall reside in the county during his continuance in office, and shall be learned in the Law, and shall be a member of the Bar of Alabama.

(b) Immediately after the effective date of this Act, the Governor shall appoint a qualified person as Judge of the Court, and shall issue a commission to him as such judge. He shall hold office until a successor is elected as provided hereinafter.

(c) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of state and county officers in 1972, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(d) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law.

(e) In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office for the unexpired term.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 124, Title 13, Code 1940.

(g) The judge shall receive a salary of \$6,300 per annum, payable out of the general funds of the county in equal monthly installments as the salaries of other county officers are paid.

(h) The judge shall have authority to: 1) administer oaths and take acknowledgements; 2) issue search warrants; 3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon judges of county courts, juvenile courts, and justices of the peace, including that of magistrate on preliminary examinations.

(i) The judge shall have an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished, and provided at the expense of the county with such office supplies, stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court; subject to approval of the board of revenue or other like governing body of the county.

(j) In the absence of the regular judge, the clerk of court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilt and assess against such defendant such fine and costs as may be authorized by law; and any judgment so rendered by

the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

(k) The judge may appoint a secretary, whose compensation shall be a salary of \$175 a month, payable from the general funds of the county.

Section 4. (a) The court shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday in each month, and on the third Monday of each month there shall be a call of the docket of the court for the handling, trial and disposal of criminal cases where the defendant has been confined in jail for five days or more and has failed to make bond, and of such other criminal cases in which the defendant shall request a trial in time for the witness to be summoned and caused to appear at the trial. Special sessions may be held at such times as the judge shall designate. Sessions may continue as long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

Section 5. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 6. The county solicitor elected as provided in Section 6 of Act No. 620, H. 1002, approved Nov. 19, 1959 (Acts 1959, v. 2, p. 1524) shall be the solicitor of this court. Said solicitor shall attend all sessions of said court and do and perform all duties of a solicitor therein and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of a deputy solicitor by Code of Alabama 1940, Title 13, Section 256. For such services, he shall be entitled to receive as compensation for his services as solicitor of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter be allowed to solicitors in the State of Alabama.

Section 7. (a) The circuit clerk of Lawrence County shall be the ex officio clerk of the court. He shall be entitled to receive an compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter be, allowed to circuit clerks in the State of Alabama. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense, subject to the approval of the county governing body, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of this court, he must give bonds as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the files and dockets of the court in an orderly manner and perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits,

summonses, subpoenas, writs, executions, commitments and releases, making the same returnable to the court hereby established; (3) to approve bonds in criminal cases, including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the county courts.

Section 8. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 9. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit court.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and fees for the use of the officers of the county as follows: (1) In each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts; (2) In every other criminal case, the same as in county courts, including fees as provided by Section 87, Title 11, Code 1940, except as provided hereinafter in Section 11.

(c) A trial tax of Five Dollars (\$5.00) shall be collected for the use of the county in each criminal case.

(d) No costs shall be taxed in juvenile cases.

Section 10. Prosecutions may be commenced in the court upon sworn complaint made to the judge or clerk of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code 1940, Title 13, Section 327. The case shall be docketed for trial, and the trial shall be held and conducted as trials are conducted in the county courts.

Section 11. Any party may appeal from a judgment rendered against him to the circuit court by giving written notice within five days after rendition of the judgment and execution of a bond, with sufficient sureties, for payment of costs in the case, in both the intermediate court and the circuit court. Upon giving such notice and bond for costs, execution on the judgment shall be stayed pending the appeal to the circuit court. Such appeals shall be governed by Article 6 of Chapter 8, Title 13, Code of Alabama 1940, except as herein otherwise provided.

Section 12. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this State may punish for contempt, be fine not exceeding fifty dollars (\$50) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 13. The county court of Lawrence County is hereby abolished, and all cases pending in such abolished court when this act becomes effective shall be transferred from the docket of that court to the new court created by this act. The cases thus transferred shall proceed in the new court as though begun therein. This court shall have the same power to control judgments rendered by the abolished court and to issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are repealed.

Section 16. This act shall become effective on the first of the month next following its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 25, April 1, April 8, and April 15, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 10, 1971.

LeRUTH G. SLATON,
Notary.

Also:

By Messrs. Waldrop and Carnes:

H. 395. To apply to all counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, authorizing any citizen of such counties who is eighteen years old or older, who meets certain other requirements to vote in any election held in such county, subject to the approval of a Constitutional Amendment to that effect.

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 118. To authorize the judge of probate of Madison County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the judge of probate of Madison County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Madison County is hereby authorized to designate one of the clerks in his office as deputy chief clerk. Such deputy chief clerk, after he has taken the same oath of office directed to be taken by the chief clerk and given bond with surety satisfactory to the judge of probate in such sum as he may prescribe, shall be authorized to discharge any ministerial duty and to perform any act relative to the discharge of the duties of the judge of probate which the chief clerk is authorized to discharge, do or perform; except that such deputy chief clerk shall not be authorized to continue to perform the duties of the probate office in his own name in the event of a vacancy in the office of judge of probate, unless there is also a vacancy in the office of chief clerk. All such acts shall be done in the same manner prescribed by law for the doing thereof by the chief clerk. The deputy chief clerk and the sureties on his bond shall be liable for any misfeasance or malfeasance of the deputy chief clerk to the same extent that the chief clerk and his bondsmen are liable for any misfeasance or malfeasance of the chief clerk.

Section 2. The county governing body of Madison County shall provide for the payment out of the county funds of the cost of the deputy chief clerk's bond. Such bond and the oath of office of the deputy chief clerk shall be approved and filed in the same manner prescribed by law for the oath and official bond of the chief clerk.

Section 3. This act shall not be construed to authorize the judge of probate to employ an additional clerk or assistant, nor to increase the compensation of the clerk or other assistant who is designated as deputy chief clerk. It shall only authorize such judge to designate an assistant or clerk whose employment is otherwise authorized by law as such deputy chief clerk.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this act are supplemental; however all laws or parts of laws in conflict or inconsistent with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on MAR. 27th, APRIL 3rd, APRIL 10th, and APRIL 17th, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me APRIL 19th, 1971.

WILLIAM B. BAKER,
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 393. To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000.

Also:

By Messrs. Taylor, Harris, Jones (F), Straiton and Hobbie:

H. 271. To amend further Act No. 428, H. 933 of the Regular Session of 1961, (Acts of 1961, pp 456), which creates and establishes a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000, and for municipalities in such counties having a population of 5,000 or more according to the last or any subsequent Federal decennial census; specifically to amend Section 5 of said Act so as to regulate the payment of wages of all policemen employed by any city in such counties; to repeal any conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 376, 377, 395, 118, 393, and 271. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill and Pruitt:

H. 10. To amend Section 29, Title 34, Code of Alabama, 1940, as amended, relating to proof of plaintiff's residency when a defendant is a non-resident.

Also:

By Messrs. Merrill and Burgess:

H. 14. To provide that unemployment insurance fraud investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the provisions of the Unemployment Compensation Law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 10 and 14. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Grainger:

H. J. R. 44. EXTENDING THE TIME FOR THE JOINT INTERIM COMMITTEE CREATED PURSUANT TO H. J. R. 128, REGULAR SESSION 1969, TO REPORT, WITHOUT ADDITIONAL APPROPRIATION, AND GRANTING AUTHORITY FOR INTERIM REPORTS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That the Joint Interim Committee created pursuant to House Joint Resolution 128, Regular Session, 1969, be and the same is hereby granted an extension of time, without additional appropriation, in which to file its detailed report of its findings to the Alabama Legislature and the Committee shall continue until such time as it has completed its detailed technical study, provided, however, interim reports are hereby authorized and may be submitted to the Legislature pending completion of the final report.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 44, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Dominick, Bailes, Hawkins, Cook, King, Vacca and Gilmore:

S. 159. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Dominick, Shelby, King, Vacca, Noonan, O'Bannon and Cook:

S. 234. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

By Messrs. Cooper and Owen:

S. 169. To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. O'Bannon and Pelham:

S. 202. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 252. To authorize the state of Alabama department of conservation, division of state parks, monuments and historical sites to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 39. In grateful appreciation to the Madison County Senate and House Delegation and the City of Huntsville, Alabama for a most memorable and enjoyable June 3, and 4, 1971.

Also:

H. J. R. 30. Resolution mourning the death of assistant Fire Chief John Doyle Willett of Mobile.

Also:

S. J. R. 26. Mourning the death of J. James Teal Circuit Clerk of Barbour County for 24 years.

were again read and, on motion of Mr. Harris, were adopted by the Senate.

RESOLUTION

Mr. Cook offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. RESOLUTION TO PETITION FOR AN INVESTIGATION OF AIR TRAVEL IN ALABAMA

WHEREAS there exists in the judgment of the Alabama Legislature on behalf of the air traveling citizens of this State, an inadequate air transportation service in and out of the major cities of Alabama, and;

WHEREAS, most existing schedules to major cities without the State require the traveling public to endure inconvenient and time consuming routing through Atlanta, Georgia, and;

WHEREAS, the nature of air service is so regulated to provide service where the need exists and not determined altogether by the economic justification of each flight, and;

WHEREAS, the people of Alabama are entitled to adequate service in and out of the State under the supervision and control of the Civil Aeronautics Board, and;

WHEREAS, the scheduled air service should be thoroughly examined by Federal officials to determine the adequacy of service in and out of the major cities of Alabama as presently served by the regularly scheduled airlines.

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of Alabama, both Houses thereof concurring, does hereby petition the Civil Aeronautics Board to conduct a full investigation of the adequacy of scheduled air service in and out of the cities of Alabama to include: (1) frequency of direct and indirect flights by existing air lines, (2) the possible need for additional service via non-existent routes of present carriers, (3) the possible need for additional carriers to establish connections in Birmingham, Huntsville, Montgomery and Mobile, (4) the possible need for additional service through any method deemed appropriate by the Civil Aeronautics Board; and

BE IT FURTHER RESOLVED, that the Alabama Attorney General join in this petition to the Civil Aeronautics Board for an investigation into the apparent discrimination of Alabama citizens by the regulated air carriers presently serving the State; and

BE IT FURTHER RESOLVED, that the Alabama Congressional and Senatorial Delegations are also hereby asked to join in this petition on behalf of Alabama citizens, and;

BE IT FURTHER RESOLVED, that the Governor of Alabama be asked to join in this petition by virtue of his signature to this Resolution and any other means he so chooses, and;

BE IT FURTHER RESOLVED, that if the Civil Aeronautics Board, in its best judgment, does initiate an investigation into the number of schedules, frequency of schedules, the number of carriers, and the present origin and destination of all flights, that such investigation

should include oral hearings for the benefit of those in the State desiring to be heard before making any final determination, and;

BE IT FURTHER RESOLVED, that the Secretary of the Senate mail a certified copy of this Resolution to the Civil Aeronautics Board, the Alabama Congressional and Senatorial Delegation, the Governor of the State of Alabama and the Attorney General of the State.

On motion of Mr. Cook, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 49. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 15, 1971, at 12:00 Noon.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

NOTICE IN WRITING

Mr. Dominick filed the following Notice in Writing, to-wit:

"NOTICE IN WRITING"

"Notice is hereby given that on the next legislative day a Motion in Writing will be introduced to amend Senate Rule 46 by adding thereto the following paragraph:

"Any such committee may meet on the call of the chairman or a majority of the members thereof at any time during the interim between sessions of the Legislature."

which was read and ordered spread upon the Journal.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 130. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

The question was on the Motion in Writing by Mr. Cooper, which said motion is set out at length in the Journal of the Senate for the Sixth Legislative Day. On motion of Mr. Cooper, said motion was laid on the table.

On motion of Mr. Owen, further consideration of the Bill, S. B. 130, was postponed until the next Legislative Day as Unfinished Business.

The Bill:

S. 117. To amend Title 52, Section 148, 1940 Code of Alabama as amended, and to define a city within the meaning of Title 52, Code of Alabama, 1940.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 117, to-wit:

AMENDMENT TO S. B. 117

Amend Senate Bill 117 by adding an additional Section thereto as follows:

Section 3. This Act shall in no way effect any incorporated municipality of five thousand (5,000) or less inhabitants, according to the last federal census, or according to the last census taken under the provisions of Sections 481 to 482, inclusive, of Title 37 of the Code of Alabama of 1940 in which there exists an independent school system on the effective date of this Act.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan
Bailes	Fine	Jones	Owen
Branyon	Foshee	King	Pierce
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	Malone	Wilder
Dozier	Hawkins		

—29

Nays:

—0

And said Bill, S. B. 117, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 6.

Yeas:

Messrs.:	Fine	Jones	Noonan
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Hammond	Lybrand	Shelby
Dominick	Harris	McLain	Vacca
Dozier	Horne	Malone	Wilder
Edington			

—24

Nays:

Messrs.:	Cook	Givhan	Lindsey
Clark	Cooper	Hawkins	

—6

The Bill:

S. 136. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	Horne	Malone
Bailes	Foshee	Jones	Noonan
Branyon	Gilmore	King	Owen
Cook	Givhan	Lindsey	Pierce
Cooper	Hammond	Littleton	Shelby
Dominick	Harris	Lybrand	Wilder
Dozier	Hawkins	McLain	Wilson

—27

Nays:

—0

The Bill:

S. 161. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances, or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Cook	Edington	Gilmore
Bailes	Dominick	Fine	Givhan
Branyon	Dozier	Foshee	Hammond

Harris	Lindsey	Noonan	Shelby	
Hawkins	Littleton	O'Bannon	Vacca	
Horne	Lybrand	Owen	Weaver	
Jones	McLain	Pierce	Wilder	
King	Malone			—29
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Brassell, Adams, Bank and Stubbs:

H. J. R. 5. WHEREAS, Mrs. Marion Walker Spidle served Auburn University with distinction for 28 years as head of the department of home economics, Dean of Women and Dean of the School of Economics until her retirement in 1966; and

WHEREAS, Dean Spidle's outstanding work in home economics education has contributed much to the progress of Auburn University and the entire state and region; and

WHEREAS, this graduate of Alabama College has exhibited untiring loyalty and devotion to the State of Alabama through her many years of distinguished service, and by her tireless support of home economics contributed immeasurably to the furtherance of this state; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended the naming of the Home Economics Building for Dean Spidle, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of Dean Spidle's outstanding service to Auburn University and the people of Alabama, that this building be designated, named and known as the Marion Walker Spidle Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Dean Spidle and her daughter, Mrs. Robert C. Anderson.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 51, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 24. Commending Mr. James Bennett of the Birmingham Post-Herald.

Also:

H. J. R. 25. Congratulating Lloyd A. Bonner upon being selected as a recipient of the 1971 Outstanding College Athlete Award.

Also:

H. J. R. 26. Congratulating and commending the Robert E. Lee (Huntsville) baseball team on winning the State 3A-4A Championship.

Also:

H. J. R. 33. Mourning the death of Mr. James Porter Henry of Hope Hull.

Also:

H. J. R. 21. Congratulating Representative Hartwell Lutz upon the recent birth of his son.

Also:

H. J. R. 27. Commending Mrs. Mary George Waite on being named President of the Alabama Bankers Association.

Also:

H. J. R. 28. Extending best wishes to Representative and Mrs. Charles Drake Boutwell on their recent marriage.

Also:

H. J. R. 31. Designating the new library at Jacksonville State University "The Houston Cole Library".

Also:

H. J. R. 32. Accepting a flag presented by the Ladies Memorial Association and United Daughters of the Confederacy; consigning the Sesqui-Centennial Flag to the Department of Archives and History.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 8. Ratifying the proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

Mr. Cooper moved that further consideration of the Resolution, S. J. R. 8, be postponed until the next legislative day. On motion of Mr. McLain, the motion to postpone was laid on the table.

Yeas 26; Nays 8.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Register	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon		—26

Nays:

Messrs.:	Givhan	Lindsey	Owen	
Branyon	Harris	Malone	Wilson	
Cooper				—8

Mr. Branyon offered the following Motion in Writing, to-wit:

"I move that this Resolution be carried over to the Tenth Legislative Day."

ADJOURNMENT

At 2:12 P. M., on motion of Mr. Fine, in accordance with Joint Resolution heretofore adopted, and pending further consideration of the Resolution, S. J. R. 8, the Senate adjourned until Tuesday, June 15, 1971, at 12 o'clock noon.

EIGHTH LEGISLATIVE DAY

TUESDAY, JUNE 15, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert O. Miller, Rector, Church of the Holy Comforter, Montgomery, Alabama.

ROLL CALL

Present:

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones	Owen		—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Edington for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McLain, Dominick and Shelby:

S. 341. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, pages 2100, establishing the Alabama Air Pollution Control Commission.

Committee on Business and Labor.

By Mr. Lybrand:

S. 342. Relating to counties having populations of not less than 10,800 nor more than 19,000, and counties having populations of not less than 65,000 nor more than 110,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention centers for lodging adolescents and persons confined on order of juvenile judges in such counties.

Committee on Judiciary.

By Mr. Littleton:

S. 343. To provide for the issuance of special license tags to members of the Alabama Jaycees.

Committee on Transportation and Common Carriers.

By Messrs. Lindsey, O'Bannon, Fine and Clark:

S. 344. To amend Section 32 of Act Number 987, Acts of the Alabama Legislature, 1969, relating to review of the decision of the Court of Appeals by the Supreme Court of the State of Alabama.

Committee on Judiciary.

By Messrs. Cooper and Lindsey:

S. 345. To provide that psychiatric services rendered in state mental hospitals and facilities shall be compensable in any policy or contract of insurance covering psychiatric services.

Committee on Health.

By Messrs. Cooper and Lindsey:

S. 346. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

Committee on Health.

By Messrs. Cooper and Lindsey:

S. 347. To amend Act No. 125, S. 86, Special Session 1909 (Acts 1909, p. 163), an act relating to the authority of a probate judge to expend monies in his charge for the support of minors or persons of unsound mind.

Committee on Health.

By Messrs. Cooper and Lindsey:

S. 348. Proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote; and respecting the rights, privileges, immunities, responsibilities and liabilities of persons eighteen years of age and upwards.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Givhan:

S. 349. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Jones, Pierce and McLain:

S. 350. To clarify the requirements of law respecting publication of certain municipal ordinances and resolutions; and to validate certain leases heretofore entered into by municipalities, notwithstanding the fact that the ordinance or resolution authorizing any such lease was not published.

Committee on Municipal Government.

By Messrs. Jones, Pierce and McLain:

S. 351. To repeal Act No. 410 adopted at the 1969 Regular Session of the Legislature of Alabama applicable to municipalities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent Federal Decennial Census.

Committee on Municipal Government.

By Mr. Register:

S. 352. To provide further for the fees paid justices of the peace for the trial of criminal cases.

Committee on Judiciary.

By Mr. Register:

S. 353. To make an appropriation from the General Fund for the purchase of the Oates-Reynolds Memorial Building at Newton, Alabama.

Committee on Finance and Taxation.

By Mr. Register:

S. 354. To make an appropriation from the Alabama Special Educational Trust Fund to the George C. Wallace State Technical Junior College at Dothan for the Department of Nursing.

Committee on Finance and Taxation.

By Mr. Register:

S. 355. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Institute of Aviation Technology at Ozark.

Committee on Finance and Taxation.

By Mr. Register:

S. 356. To provide a state scholarship program to promote the education of nurses at the Department of Nursing, George C. Wallace State Technical Junior College, Dothan, Alabama; and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 357. To amend Title 55, Section 298, Code of Alabama 1940, as amended, which relates to the Director of the Personnel Department.

Committee on Judiciary.

By Mr. Hammond:

S. 358. To exercise the power granted the Legislature of Alabama under Section 238 of the Constitution of Alabama of 1901 with respect to amending the charter of certain corporations.

Committee on Judiciary.

By Mr. Owen:

S. 359. Relating to counties having a population of not less than 34,875 nor more than 36,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Committee on Local Legislation No. 1.

By Messrs. Bailes, Gilmore, King, Dominick, Vacca, Pierce, Jones and Hawkins:

S. 360. To amend the revenue provisions of Title 51, Code of Alabama 1940, so as to provide for retention of revenues by counties based on the population of counties.

Committee on Judiciary.

By Mr. Lindsey:

S. 361. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment of additional expense allowances of members of the county commissions or like governing body of such counties.

Committee on Local Legislation No. 1.

By Mr. Cook:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

Committee on Local Legislation No. 2.

By Mr. O'Bannon:

S. 363. To provide a state scholarship program to promote the education of nurses at the School of Nursing of Florence State University; and making appropriations therefor.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended, as therein shown, and as amended has adopted the following Senate Joint Resolution and returns same herewith to the Senate for its consideration:

S. J. R. 24. Relative to designating Alabama-Guatemala Day.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 24, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. J. R. 24

S. J. R. 24. WHEREAS, the State of Alabama, United States of America and the Republic of Guatemala, Central America, have formally established a partnership for their mutual economic, cultural and social development, and

WHEREAS, the executive committees are meeting in Montgomery, Alabama on the 15th day of June, 1971, and

WHEREAS, the Governor of the State of Alabama is issuing a proclamation designating said date as Alabama-Guatemala Day, and

WHEREAS, the Secretary-General of Latin America for the Partners of the Americas, Senora Mariflor de Solis of Guatemala City, Guatemala, Central America, will be present at said time; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the said Senora Mariflor de Solis of Guatemala City, Guatemala, Central America, be invited to attend and introduced at the sessions of the Legislature on the 15th day of June, 1971, and be extended the privileges of the floor of the House of Representatives and Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hobbie:

H. J. R. 38. TO ESTABLISH A LEGISLATIVE COMMITTEE TO STUDY PARKING AND PARKING PROBLEMS IN THE CAPITOL COMPLEX.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

Section 1. There is hereby created a parking study committee to study the needs and problems of parking in the Capitol area complex.

Section 2. The committee shall be composed of three members of the House appointed by the Speaker and two members of the Senate appointed by the Lieutenant Governor.

Section 3. The committee shall conduct a study as aforesaid and shall file a written report with the State Building Commission.

Section 4. The members of the committee shall be entitled to their regular legislative pay and expenses for each day they are actually meeting on committee business. If the committee or any members thereof travel outside of the State to study how similar problems are handled in other locations, they shall receive their actual expenses for said out of State trips. All of said pay and expenses shall be paid out of any funds appropriated for the use of the Legislature provided however, that the total expenses of said committee shall not exceed \$2,000.00.

Section 5. The committee shall elect one of their members as a chairman and the chairman shall call meetings of the commission at such times and places as he deems necessary to carry out the functions and duties of the commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 38, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cauthen, Slate and entire membership of the House:

H. J. R. 35. Memorializing Audie Murphy.

WHEREAS, On May 31, 1971, Audie Murphy met an untimely death in an aircraft accident; and

WHEREAS, It is ironic that his death occurred on Memorial Day, a day when America honors its fallen combat heroes; and

WHEREAS, Audie Murphy, the most decorated serviceman in the history of the military of the United States of America, was a patriot in the true sense of the word, believing in and living the ideal that freedom and democracy are worth dying for; and

WHEREAS, On July 20, 1968, Audie Murphy delivered the dedicatory address at dedication ceremonies of the Alabama War Memorial and Hall of Honor honoring Alabama fallen sons, and at that time, in referring to this memorial, said; "May it be an inspiration for other states to follow . . . that one day there will be fifty war memorials."; and

WHEREAS, On other visits to Alabama, Audie Murphy expressed his affection for the State of Alabama saying, "On my one-time visit, I fell in love with this State, and its people have shown me great southern hospitality."; and

WHEREAS, Audie Murphy had consented to participate in the Spirit of America Fourth of July celebration in Decatur, Alabama, to help revitalize the spirit of patriotism in Alabamians, and although his body is enshrined in Arlington, we know his spirit will be with us; and

WHEREAS, Audie Murphy's bravery, courage, devotion to and love of country and concern for his fellowman have been and will continue to be an example for all Americans to follow both in time of war and in time of peace; and

WHEREAS, The Legislature of Alabama wishes to express its profound sadness and sense of loss upon the death of Audie Murphy;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the death of Audie Murphy has saddened the hearts of Alabamians, and that America has lost one of her true patriots.

BE IT FURTHER RESOLVED That the Legislature requests that a place of honor be reserved for Audie Murphy in the Hall of Honor at American Legion Headquarters in Montgomery, with a copy of this resolution to be displayed there to show the world Alabama claims him as her own.

BE IT FURTHER RESOLVED That the Legislature hereby requests that certain of his personal articles be collected by the Alabama Department of Archives and History there to be kept until duly dedicated to the State of Alabama.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to his widow and children who reside at 1201 Toluca Road, North

Hollywood, California; the President of the United States; and to both Houses of the Congress of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 35, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jones (F):

H. J. R. 48. PROTESTING OUR ALLY COUNTRIES OF TURKEY, MEXICO, AND FRANCE ALLOWING HEROIN AND OTHER HARMFUL DRUGS TO BE CULTIVATED, PRODUCED AND ROUTED THROUGH THEIR RESPECTIVE COUNTRIES INTO THE UNITED STATES.

WHEREAS our nation has recently been struck by a plague that is potentially worse than any history has ever recorded; and

WHEREAS this plague is destroying the energetic creativity of our youth, and turns our citizens from independent self supporting individuals into members of a parasitic sub-culture; and

WHEREAS the friendly governments of Turkey, France and Mexico continue to provide fertile spawning grounds for the very life strain of this plague; namely the cultivation, production and trafficking of opium; and

WHEREAS our efforts to bring about the domestic control of heroin and other harmful drugs are doomed to failure unless the President through diplomatic and economic negotiations puts all possible pressure on our allies the Turkish, Mexican, and French governments, to cut off this supply of drugs at their resources; and

WHEREAS for the health and well-being of our American youth, the future of our democratic society, and the security of our nation we cannot afford to let this traffic in death and destruction continue; and

WHEREAS unless the national government takes immediate action to stop the ready access which addicts, and the millions of potential addicts in our schools, homes and the existing heroin ghettos have to these drugs then we shall never be able to put an end to the greatest problem of our times; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body memorializes the President of the United States, and the State Department of the United States, to immediately undertake such diplomatic and economic measures as they consider appropriate, including entering into negotiations with, and undertaking necessary joint action with, or by subsidizing, or purchasing the opium crops in Turkey and Mexico, in order to prevent heroin from being illegally imported into the United States.

BE IT FURTHER RESOLVED, That the Clerk of the House send a copy of this resolution to the President of the United States, the Secretary of State of the United States, and that copies be sent to the members of the Alabama Congressional Delegation, and that each of them be urged to give this matter his consideration and support.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 48, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Messrs. Ellis, Bowers, Weeks, Adwell, Boutwell, Waggoner and the entire membership of the House:

H. J. R. 46. PROCLAIMING JUNE 14TH AS FLAG DAY

WHEREAS June 14th of this year is the anniversary of the day Congress adopted the "Star Spangled Banner" with its glorious red, white and blue stars and stripes becoming emblematic of the honor and integrity inherent in our great heritage of sovereign national independence and Constitutional Liberty; and

WHEREAS this day has been designated by the United States Congress as Flag Day; and that body has urged its observance by display of the American flag on private and public grounds; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body believes that Flag Day should be celebrated officially in Alabama and, we hereby petition and urge the Governor to issue a proclamation declaring Monday, June 14, 1971 as United States Flag Day in Alabama.

BE IT FURTHER RESOLVED that we urge the citizens of Alabama to observe this day by proudly displaying the beautiful banner of our country to demonstrate that the people of this state are proud of what it symbolizes, and are proud to be Americans.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 46, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Ellis, Barkett and Wallace:

H. J. R. 40. Commending Boy Scouts of America and their Voluntary Leaders.

Also:

By Messrs. Lutz, King, Hale, Grainger and Hearn:

H. J. R. 41. MOURNING THE DEATH OF MR. DOUGLAS CARROLL MARTINSON.

Also:

By Messrs. Headley, Stubbs and Owens:

H. J. R. 42. IN COMMEMORATION OF CAPTAIN JOHN BIRCH AND COMMENDING GOVERNOR WALLACE FOR PROCLAIMING JOHN BIRCH DAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 40, 41, and 42, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lybrand, Cooper, Clark, Pelham, Branyon, Hammond, Weaver, Harris, Register and Owen:

S. 314. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama, as heretofore amended, so as to make further provisions with respect to the disposition of that portion of the proceeds from the state gasoline excise tax that is referred to in said Act No. 224 as the local subdivisions' share of the net tax proceeds.

By Mr. Hammond:

S. 289. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

By Mr. Givhan:

S. 166. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

By Messrs. Clark, Register and Pelham:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial

development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Messrs. Clark, Register and Pelham:

S. 307. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

By Mr. Wilson:

S. 282. To authorize the director of the Legislative Reference Service to employ additional temporary staff members and clerical help either subject to the provisions of the merit system law or without regard to the provisions thereof, under certain conditions.

By Mr. Wilson:

S. 283. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

By Mr. Clark:

S. 178. To authorize the Secretary-Treasurer of the Employees Retirement System to withhold from the retirement pay of any retired State employee the premium on any hospitalization or health group insurance plan.

By Mr. Clark:

S. 179. To appropriate from any funds not otherwise appropriated the sum of Four Hundred Dollars (\$400.00) to pay printing expenses of the Senate incurred in fiscal year ending September 30, 1969.

By Messrs. Clark, Wilder, Branyon, Dozier and Givhan:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer when traveling within the State of Alabama on business of the State.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 5 (With Substitute). To provide sales and use tax exemptions for certain medicines purchased by prescription.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 60. To amend Section 28 D, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a school at Camden (Wilcox County High School)" be changed to read "For the construction of a school or schools in Wilcox County"; to make the provisions of this Act retroactive to the effective date of the original Act.

By Messrs. Vacca and Givhan:

S. 49. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

By Mr. Branyon:

S. 42. To amend Section 28 G, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a high school at Fayette" be changed to read "For the construction of a school, schools, or other educational facilities in Fayette County"; to make the provisions of this Act retroactive to the effective date of the original Act.

By Messrs. Branyon and Foshee:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

By Mr. Shelby:

S. 47. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

By Mr. Clark:

S. 180. To provide for payment of travel expenses of members of the Legislature when traveling within the State of Alabama on business of the Legislature or any of its committees, sub-committees or legislative departments.

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 112. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

By Mr. McLain:

S. 113. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

By Mr. McLain:

S. 114. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

By Mr. Harris:

S. 315. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member bank of the Federal Reserve System, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Snell et al:

H. 99 (With Amendment). Relating to local funds for support of public schools; requiring a prescribed minimum of financial local support of public schools; prescribing penalties for failure to meet such minimum requirements; providing for the time for making of computations and calculations of such minimum requirements; providing for recalculations of such minimum requirements; defining local support and providing for the repeal of Act No. 33 of the Special Session of the Alabama Legislature 1969, and all other laws in conflict herewith.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 171. Authorizing consent to legally authorized medical, dental and health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

By Mr. Cooper:

S. 172. To amend Section 270 of Title 22 of the Code of Alabama 1940, Recompiled 1958 to provide for medical treatment of minors with venereal disease.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 272. To authorize incorporated municipalities to employ on a parttime basis regular deputy sheriffs to serve as policemen.

By Mr. Gloor et al:

H. 207. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances, or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 47. Commending Peggy Dockery, outstanding graduate of Auburn University.

Also:

H. J. R. 30. Mourning the death of Assistant Fire Chief John Doyle Willett of Mobile.

Also:

H. J. R. 39. Expressing appreciation to the Madison County Senate and House Delegation and the City of Huntsville, Alabama for a most memorable and enjoyable June 3 and 4, 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

ADOPTION OF RESOLUTION

The Resolution:

H. J. R. 51. Naming the Home Economics Building at Auburn University the Marion Walker Spidle Hall.

was again read and, on motion of Mr. Horne, was adopted by the Senate.

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. Resolution mourning the death of Mr. Henry Delamar Watson of Clayton.

And said resolution was read and ordered to lay over on the Secretary's desk.

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING That when the two Houses adjourn today, they adjourn to meet again tomorrow, Wednesday, June 16, 1971, and when they adjourn on Wednesday, June 16, 1971, they adjourn to meet again on Tuesday, June 22, 1971.

On motion of Mr. Harris, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

RESOLUTION

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. J. R. 8. Ratifying proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

The question was on the motion of Mr. Branyon that further consideration be postponed until the Tenth Legislative Day.

Mr. Vacca offered the following substitute Motion in Writing, to-wit:

"I move that S. J. R. 8 be carried over until the Twentieth Legislative Day."

On motion of Mr. McLain, the substitute motion was laid on the table.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Fine	Jones	Noonan
Bailes	Foshee	King	O'Bannon
Carr	Gilmore	Littleton	Pelham
Clark	Hammond	Lybrand	Pierce
Cook	Hawkins	McLain	Register
Dominick	Horne	Malone	Weaver

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Nays:

Messrs.:	Givhan	Lindsey	Vacca
Branyon	Harris	Owen	Wilder
Cooper			

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The question then recurred on the motion of Mr. Branyon that further consideration of the Resolution, S. J. R. 8, be postponed until the Tenth Legislative Day. On motion of Mr. McLain, said motion was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Fine	Jones	Noonan
Bailes	Foshee	King	O'Bannon
Carr	Gilmore	Littleton	Pelham
Clark	Hammond	Lybrand	Pierce
Cook	Hawkins	McLain	Register
Dominick	Horne	Malone	Weaver
Dozier			

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Nays:

Messrs.:	Cooper	Harris	Vacca
Branyon	Givhan	Owen	Wilder

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Mr. Cooper offered the following amendment to the Resolution S. J. R. 8, to-wit:

AMENDMENT TO S. J. R. 8

Amend Paragraph 1 by striking the last three words of the sentence and the period as follows: "is hereby ratified." and inserting in lieu thereof: "shall be ratified on the first day of January, 1975."

RESOLUTION

Messrs. Register, Owen, and Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 31. RELATIVE TO THE LEGISLATIVE INTENT IN CONNECTION WITH THE PROPOSED LEVY ON SOY BEAN PRODUCERS.

WHEREAS the farm income derived from soy beans in Alabama is substantial and the production of soy beans and industries related thereto affects a great many Alabamians; and

WHEREAS in 1960 there were only 135,000 acres in Alabama planted in soy beans and there were 3,240,000 bushels of such beans harvested that year and in 1970 there were 609,000 acres planted to soy beans and the harvest was 14,312,000 bushels; and

WHEREAS grain elevators have been constructed and facilities for handling soy beans at the State Docks in Mobile have been greatly improved so that it will behoove farmers of Alabama to produce still more soy beans; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the sole purposes of Senate Bill No. 130 and Senate Bill No. 131 and of House Bill No. 2, House Bill No. 3, Senate Bill No. 17 and Senate Bill No. 18 are to promote the production, distribution, improvement, marketing, use and sale of soy beans and soy bean products to the end that the economy of the State and particularly the farmers thereof will be improved.

BE IT FURTHER RESOLVED That the Legislature hereby directs the Commissioner of Agriculture and Industries to contract with any agency he deems appropriate in order to accomplish the above avowed purposes.

BE IT ALSO RESOLVED That the Legislature hereby specifically declares that it is not its intention to dictate what agency shall get any contract relative to the promotion, distribution or improvement of the marketing procedures or the use or improvement of soy beans or products derived therefrom, and it hereby disclaims any intention to show any preference for any agency or method of promoting the soy bean industry, or to show any favoritism in the awarding of contracts relative to the expenditure of any funds that may accrue from the levying of the assessments authorized in the above cited proposed bills relative to the levy by producers of soy beans of an assessment on themselves to promote and expand the production of soy beans in the state and of industries related thereto.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. J. R. 8

The Senate proceeded to further consideration of the Resolution, S. J. R. 8. The question was on the amendment offered by Mr. Cooper.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 51. Naming the Home Economics Building at Auburn University the Marion Walker Spidle Hall.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

RESOLUTION

Mr. Lybrand offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE CONCURRING, That,

WHEREAS the Legislature has heretofore enacted legislation establishing the Junior College system throughout the State of Alabama, and

WHEREAS it has come to the attention of the Legislature that, without the express authorization of the Legislature, steps are being taken to convert one or more junior colleges into four-year institutions of higher learning, and

WHEREAS it is the sense and will of the Legislature that no junior colleges be converted into four-year institutions of higher learning without an express legislative act first being enacted specifically permitting and authorizing the conversion of any junior college to a four-year institution of higher learning;

NOW, THEREFORE, IT IS HEREBY RESOLVED That it is the sense and will of the Legislature that no junior college shall be converted into a four-year institution of higher learning unless and until express legislative authority is enacted at this or subsequent legislative sessions.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. Relative to the adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. J. R. 8

The Senate proceeded to further consideration of the Resolution, S. J. R. 8. The question was on the amendment offered by Mr. Cooper.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 26. MOURNING THE DEATH OF J. JAMES TEAL, CIRCUIT CLERK OF BARBOUR COUNTY FOR 24 YEARS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Crowe and Naramore:

H. J. R. 50. PRAISING U. S. CONGRESSMAN TOM BEVILL.

Also:

By Mr. Turnham:

H. J. R. 52. SIDNEY W. JOHNSON OF AUBURN UNIVERSITY, ON THE OCCASION OF HIS RETIREMENT.

Also:

By Messrs. Falkenburg, Erdreich and Doss:

H. J. R. 53. COMMENDING SCOUTING ON ITS NATIONAL KEEP AMERICA BEAUTIFUL DAY AND NATIONAL ANTI-LITTER DAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 50, 52 and 53, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

FURTHER CONSIDERATION OF S. J. R. 8

The Senate proceeded to further consideration of the Resolution, S. J. R. 8. The question was on the amendment offered by Mr. Cooper.

ADJOURNMENT

At 6:35 P. M., on motion of Mr. Cook, in accordance with Joint Resolution heretofore adopted, and pending further consideration of S. B. 130 and S. J. R. 8, the Senate adjourned until Wednesday, June 16, 1971, at 2:00 P. M.

NINTH LEGISLATIVE DAY

WEDNESDAY, JUNE 16, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Dr. Earl M. Hall, Pastor, Normandale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dozier	King	Owen
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Wilder
Cooper	Horne	O'Bannon	Wilson
Dominick	Jones		

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JOURNAL

On motion of Mr. Clark, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Clark, leaves of absence were granted Messrs. Lybrand, Fine, Pelham, Edington, Weaver and Foshee for today.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 24. Inviting Senora Mariflor de Solis to attend sessions of the Legislature on June 15, 1971.

Also:

S. J. R. 26. Mourning the death of J. James Teal.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

COMMUNICATION FROM STATE DEPARTMENT OF EDUCATION

June 11, 1971

To The Senate
Alabama State Legislature
Montgomery, Alabama 36104

In compliance with Article XIV, Section 264, of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following persons have been elected as members of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, on May 29, 1971:

Name	Address	District	Expiration Of Term
Winton M. Blount.....	Montgomery, Alabama.....	Second	1983
Ehney A. Camp, Jr.....	Birmingham, Alabama.....	Sixth	1983
John T. Oliver, Jr.....	Jasper, Alabama.....	Seventh	1983

Respectfully submitted,

LeROY BROWN,
State Superintendent of Education.

Sworn to and subscribed before me this 15th day of June, 1971.

MARY JO FIKE,
Notary Public.

The foregoing communication was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Cook and Bailes:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

Committee on Local Legislation No. 2.

By Messrs. Cook and Bailes:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or

any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

Committee on Local Legislation No. 2.

By Mr. Givhan:

S. 366. Relating to all counties having populations of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

Committee on Local Legislation No. 1.

By Messrs. Jones, Branyon, Vacca, Carr, Pierce, Wilder, Dozier, Bailes, Horne, Shelby and Gilmore:

S. 367. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Committee on Transportation and Common Carriers.

By Messrs. Jones, Branyon, Vacca, Carr, Pierce, Wilder, Dozier, Bailes, Horne, Shelby and Gilmore:

S. 368. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Committee on Transportation and Common Carriers.

By Mr. McLain:

S. 369. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

Committee on Judiciary.

By Messrs. Givhan, Owen, Branyon, Vacca, Noonan, Hawkins, Register and Shelby:

S. 370. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, so as to increase the membership of said board from three to five members and to provide that all members shall be appointed by the Governor with the advice and consent of the Senate.

Committee on Judiciary.

By Mr. Cooper:

S. 371. Proposing an amendment to the Constitution of Alabama providing for granting of adult responsibilities, rights and duties to persons eighteen years of age and older.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Headley and Adwell:

H. 202. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

Also:

By Messrs. Stubbs, Therrell, Waldrop, Carnes, Wynot, Reid (R), Grey (D), Goodwin, Reynolds, Hill, Flipppo, Carter, Warren, Coshatt, Robertson, Bowers, Headley, Owens, Hobbie, Cherner, Drake, Naramore, Bank and Crowe:

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the

present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

Also:

By Messrs. Stubbs, Therrell, Waldrop, Carnes, Wynot, Grey (D), Reid (R), Reynolds, Goodwin, Hill, Flipppo, Carter, Warren, Coshatt, Robertson, Bowers, Owens, Headley, Hobbie, Cherner, Drake, Naramore, Bank and Crowe:

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 202. To the Committee on Judiciary.

H. B.'s 517 and 518. To the Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 212. Relating to boards of registrars in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census, to provide that such boards shall only be required to hold meetings at the county seat.

Also:

By Mr. Mathews:

H. 213. To provide an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Also:

By Messrs. Cross and Carter:

H. 218. To amend the title and Section 1 of Act No. 684, H. 942, Regular Session 1967 (Acts 1967, p. 1510), relating to counties whose roads and bridges are constructed, maintained and repaired by the

State highway department; forbidding the judge of probate of any such county to remit to the highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof in certain counties classified on a population basis.

Also:

By Mr. Owens:

H. 409. Proposing an amendment to the Constitution of Alabama relating to Bibb County, and ordering an election thereon.

Also:

By Mr. Owens:

H. 410. Proposing an amendment to the Constitution of Alabama relating to Hale County, and ordering an election thereon.

Also:

By Messrs. Callahan, Nettles, Stokes, Roberts and Downing:

H. 450. To provide a procedure for the reduction of the corporate limits of the City of Prichard, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the 1971 Regular Session of the legislature of the State of Alabama, providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide a procedure for the reduction of the corporate limits of the City of Prichard, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to the City of Prichard, Alabama.

Section 2. The residents of any area in Sections One (1), Two (2), Three (3), Ten (10), Eleven (11), Twelve (12) and Thirty-seven (37) of Township 3 South, Range 2 West, and Section Seven (7) of Township 3 South, Range 1 West of Mobile County, Alabama, may, at any time before the expiration of three years from the date of the enactment of this Act, file a petition with the Judge of Probate of Mobile County asking that an election be called to determine whether or not the area described in the petition shall remain a part of the corporate limits of Prichard. The petition filed with the probate judge must be signed by at least fifty per cent of the qualified voters residing within the area described in the petition, and the area must contain at least one hundred sixty acres, and must not leave any territory remaining within the corporate limits noncontiguous. A map or plat shall be filed with the petition showing the boundaries of said city and the area proposed to be excluded therefrom.

Section 3. Upon the presentation of such a petition, accompanied by a map or plat, the judge of probate shall file the same and shall give notice of the holding of such election by publication in some newspaper published within said city or Mobile County, one publication thereof for at least seven days being sufficient; which notice shall state the day on which such election is to be held, describing the area proposed to be excluded and stating that map of such territory is on file in the office of the judge of probate of Mobile County, open to public inspection.

Section 4. Such election shall be held at the regular voting place within the territory proposed to be excluded from the corporate limits, if there is one, or such other location as may be designated by the probate judge. Only electors residing within such territory shall have a right to vote in said election.

Section 5. The election to determine whether or not the area shall be excluded from the corporate limits of said city shall be conducted in all respects as provided by the general election laws and under the same sanctions and penalties, except as changed by the provisions of this Act. The following words shall be written or printed on the ballot "For exclusion from the corporate limits" and "against exclusion from the corporate limits." The judge of probate shall appoint the inspectors, clerks and a returning officer to hold said election, and the inspectors, as soon as the polls are closed must ascertain and certify the result of the election to the probate judge and deliver the same to the returning officer, who must at once return the same to the judge of probate and the judge of probate must canvass the returns as made by the inspectors and if it appears that a majority of the votes cast at the election were "For exclusion from the corporate limits", the judge of probate must make and enter an order on the record of the probate court adjudging and decreeing that the corporate limits of said city are reduced by excluding therefrom the territory as defined in the petition and designated on the plat or map attached thereto, and that the legal corporate limits of said city are the same as those of the city prior to the election, excluding therefrom the area described in the petition and shown on the map attached thereto.

Section 6. If a majority of the votes cast at the election were "Against exclusion from the corporate limits," the the limits of the city remain unchanged and the judge of probate shall enter an order dismissing the petition.

Section 7. The result of such election may be contested by any qualified elector voting at the election under the same provisions are provided by general law for contesting the election of justice of the peace, making the city the contestee.

Section 8. The City of Prichard shall pay all costs and expenses incident to such election.

Section 9. The judge of probate for services rendered under the provisions of this Act shall be entitled to a fee of twenty dollars. All other officers shall be entitled to the same compensation for services rendered by them as they are authorized by law, and the City of Prichard shall pay the same, except in the case of a contest as herein provided, the cost of such contest to be paid by the party against whom such contest is decided.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mr. W. F. Egan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register Inc., a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1971.

W. F. EGAN.

Sworn to and subscribed before me May 31, 1971.

E. E. KOCH,
Notary Public.

Also:

By Mr. Wood:

H. 504. Relating to Mobile County; to provide that the presiding judge of the circuit court for Mobile County may authorize sessions of the circuit court and the Mobile County Juvenile Court to be held at any place within the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County; to provide that the presiding judge of the circuit court for Mobile County may authorize session of the circuit court and the Mobile County Juvenile Court to be held at any place within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The presiding judge of the Circuit Court of Mobile County is hereby empowered to issue written orders authorizing sessions of the circuit court and of the Mobile County Juvenile Court to be held at any place within the county.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mr. W. J. Hearin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Mobile Press Register Inc., a newspaper of

general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1971.

W. J. HEARIN.

Sworn to and subscribed before me June 2, 1971.

W. F. EGAN,
Notary Public.

Also:

By Mr. Wood:

H. 503. To provide that the the laws governing the countywide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Aabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To provide that the laws governing the county-wide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile, County, and to be placed in the proper class and salary level.

Be It Enacted by the Legislature of Alabama:

Section 1. That the laws governing the county-wide civil service system of Mobile County shall apply to any person holding the position of Assistant County Treasurer to be known as Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County.

Section 2. That the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, on the effective date of this act shall be placed forthwith in the classified service of the county-wide civil service system of Mobile County without any examination by the civil service system.

Section 3. In placing any person so affected by the provisions of this act upon the employment roster of the classified service of the county-wide civil service system of Mobile County, such position shall

be allocated to the appropriate class to reflect recognition of the fact that such position exceeds in authority and responsibility any other position under authority of the County Treasurer of Mobile County; and be paid a salary within the minimum and maximum of the range provided for such classification.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective on the first of the month next after its passage and approval.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mr. Luis Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1971.

LUIS WILLIAMS.

Sworn to and subscribed before me May 27, 1971.

E. E. KOCH,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 212, 213, 218, 409, 410, 450, 504, and 503. To the Committee on Local Legislation No. 1.

(The above numbered Bills, H. B.'s 409 and 410, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 238. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-70, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Also:

By Messrs. Pruitt and Manley:

H. 464. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Also:

By Mr. Easters:

H. 474. To further amend the title and Section 1 of Act No. 409, H. 809, Regular Session 1955 (Acts 1955, p. 954), as last amended which provides for the furnishing of equipment, supplies, and additional clerks to the tax assessor and tax collectors of certain counties classified on a population basis.

Also:

By Messrs. Downing, Stokes, Wood, Roberts, Collins, Therrell and Perloff:

H. 126. Relating to elections; amending further Code of Alabama, Title 17, Section 38, in relation to newspaper publication of lists of registered electors in counties having populations of not less than 300,000 nor more than 500,000.

Also:

By Mr. Easters:

H. 475. To amend the title and Section 1 of Act No. 329, H. 592, Regular Session 1961 (Acts 1961, p. 356), which Act imposes additional duties upon the members of the county commission and provides for compensation therefor in certain counties classified on a population basis.

Also:

By Mr. Easters:

H. 476. To further amend the title and Section 1 of Act No. 42, S. 73, Special Session 1964 (Acts 1964, p. 61), which Act provides for regulating the compensation of members of the county commission of certain counties classified on a population basis.

Also:

By Mr. Easters:

H. 477. To amend the title and Section 1 of Act No. 361, S. 530, Regular Session 1967 (Acts 1967, p. 922), which Act provides for the creation of departments of engineering for certain counties classified on a population basis.

Also:

By Mr. Easters:

H. 478. To amend the title and Section 1 of Act No. 105, H. 233, Regular Session 1969 (Acts 1969, p. 386), which Act provides for the appointment and terms of office of the directors of hospital associations in certain counties classified on a population basis.

Also:

By Messrs. Goodwin and Reynolds:

H. 479. To apply in all counties having a population of not less than 48,000 and not more than 50,000 according to the 1970 Federal decennial census and having special courts where the probation services of juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of salaries of juvenile court probation officers in all such counties when probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize matching State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 526. Relating to Calhoun County; providing for meetings of and clerical assistance to the board of registrars of Calhoun County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; providing for meetings of and clerical assistance to the board of registrars of Calhoun County.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Calhoun County shall meet on the first Monday and for nine consecutive days thereafter, Sundays and legal holidays excepted, in the months of February, March, April, May, June, July, August and September of each year, and on the first Monday and for nineteen consecutive days thereafter, Sundays and legal holidays excepted, in the months of October, November, December and January of each year, for the purpose of registering voters. An applicant may register at the courthouse or at any other location in the county designated by the board of registrars.

Section 2. Such board of registrars shall also meet at the courthouse on the third Monday in February in each year and for 39 consecutive days thereafter, Sundays, legal holidays and the time or times for registering voters excepted, for the purpose of purging the voting list.

Section 3. The board of registrars of Calhoun County is authorized to employ an executive secretary, subject to the approval by the county governing body of Calhoun County, Alabama. The executive secretary shall keep the office of the board of registrars open at such times when the board is not in session as is directed by the board of registrars; and he is authorized to take applications for registration and acknowledge-

ments thereto, provided he is a notary public or some other officer authorized to take acknowledgements to deeds or is bonded as such executive secretary in such amount as is prescribed by the board of registrars. He shall also submit to the board revised lists of qualified electors of the county by placing the names of all persons in their proper ward, precinct, or district, and eliminating therefrom the names of all deceased, insane, non-resident, and fictitious persons, and those convicted of disqualifying crimes. The executive secretary shall also attend to all clerical work of the board, and he shall devote his entire time to duties imposed by the board.

Section 4. The county governing body of Calhoun County shall provide office space for the board of registrars and shall provide the executive secretary of the board of registrars with clerical help and such office supplies as may be necessary in the opinion of the governing body of Calhoun County, Alabama.

Section 5. The executive secretary provided for herein shall be paid a salary out of the county treasury of not less than four hundred dollars nor more than six hundred dollars per month, the exact amount to be fixed by the county governing body of Calhoun County.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Personally appeared before me Phillip Sanguinetti, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: May 20, 26, 31, June 7, 1971.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me this 7th day of June, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 527. Relating to the jury commission in all counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census, providing for the number of meeting days of the commission and the compensation of its members.

Also:

By Mr. Fite:

H. 545. Relating to Marion County, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Marion County, Alabama.

Section 2. The Clerk of the Circuit Court of Marion County, Alabama shall appoint a qualified person to serve as secretary-stenographer to and for the Courts in such county, and shall, with the approval of the governing body of such county, fix the compensation therefor, which shall not exceed \$2,400.00 per annum. The governing body shall pay such compensation out of the general funds of the county in like manner as the other county employees are paid.

Section 3. Such secretary-stenographer shall serve at the pleasure of the Circuit Clerk and shall perform stenographic, secretarial and clerical work as may be prescribed by the Circuit Clerk.

Section 4. This Act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 29, May 6, May 13, and May 20, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me June 2, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Fite:

H. 546. To provide for additional expenses for additional travel for the chairman and members of the Marion County Commission and to limit such additional expense payments to \$200.00 per month to the members thereof; and to repeal all laws in conflict herewith, specifically Act No. 65 H 735, Regular Session 1969, and Act No. 360 H 906, Regular Session 1969.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for additional expenses for additional travel for the chairman and members of the Marion County Commission and to limit such additional expense payments to \$200.00 per month to the members thereof; and to repeal all laws in conflict herewith, specifically Act No. 65 H 735, Regular Session 1969 and Act No. 360 H 906, Regular Session 1969.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other obligations and duties now imposed by law upon the chairman and members of Marion County Commission, the said chairman and members of Marion County Commission, upon request and at the discretion, shall meet informally in any beat in their respective county for the purpose of hearing matters of interest to the citizens of that beat pertaining to county business.

Section 2. In addition to all other expense payments and allowances to the chairman and members of Marion County Commission, they each shall be paid the sum of \$200.00 per month for expenses in carrying out the provisions of Section 1 of this Act.

Section 3. The expenses authorized to be paid in this Act shall be paid monthly from the gasoline tax funds of said county and in the same manner as the salaries are paid and such payments shall begin on the effective date of this Act.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. Act No. 65 H 735, Regular Session 1969, and Act No. 360 H 906, Regular Session 1969, are hereby expressly repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me June 2, 1971.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Coshatt:

H. 578. To repeal Act No. 46, H. 74, approved March 4, 1970, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approval at a referendum held in the county affected." (Acts of Alabama, Special Session, 1970, p. 2670).

Also:

By Mr. Coshatt:

H. 579. To repeal Act No. 837, H. 1106, approved September 12, 1969, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day." (Acts of Alabama, Regular Session, 1969, p. 1542).

Also:

By Mr. Coshatt:

H. 580. To repeal Act No. 526, S. 553, approved August 22, 1961, entitled, "An Act relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions." (Acts of Alabama, 1961, p. 625).

Also:

By Mr. Coshatt:

H. 581. To repeal Act No. 101, H. 296, approved June 27, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, page 485).

Also:

By Mr. Coshatt:

H. 582. To repeal Act No. 147, S. 110, approved July 19, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, p. 521).

Also:

By Mr. Coshatt:

H. 583. To repeal Act No. 142, H. 155, which became effective August 28, 1964, entitled, "An Act relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places." (Acts of Alabama, 1964, p. 205).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 238, 464, 474, 126, 475, 476, 477, 478, 479, 526, 527, 545, 546, 578, 579, 580, 581, 582, and 583. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 172. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 172. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 310. To alter the boundary between Jefferson County and Shelby County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice of the Intention to Apply for the Passage of the Following Legislation During the 1971 Regular Session of the Alabama Legislature:

A BILL
TO BE ENTITLED
AN ACT

To alter the boundary between Jefferson County and Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary between Jefferson County and Shelby County, as heretofore established by law, is hereby altered and re-established by the transfer of certain lands hereinbelow described from Shelby County to Jefferson County.

Section 2. The following described lands lying in Section 2, Township 19 South, Range 2 West and now being a part of Shelby County are hereby detached from Shelby County and added to Jefferson County:

The East half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter; and the Southwest Quarter of the Northeast Quarter.

Section 3. Except as altered as set out in Section 2 of this Act, the boundary between Jefferson County and Shelby County shall remain as presently established by law.

Section 4. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional, such declaration shall not affect any other part hereof.

Section 5. All laws or parts of law which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 17th day of May A. D. one thousand nine hundred and 71 personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforesaid, Judi Williams, who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates: April 15, 22, 29 and May 6, 1971.

JUDI WILLIAMS.

Subscribed and sworn to before me this 17th day of May, A. D. 1971.

R. H. CARLISLE,
Notary Public.

My Commission Expires 3-8-73.

LEGAL NOTICE

Notice of the Intention to Apply for the Passage of the Following Legislation During the 1971 Regular Session of the Alabama Legislature:

A BILL
TO BE ENTITLED
AN ACT

To alter the boundary between Jefferson County and Shelby County.

Be It Enacted by the Legislature of Alabama:

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Section 3. Except as altered as set out in Section 2 of this Act, the boundary between Jefferson County and Shelby County shall remain as presently established by law.

Section 4. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional, such declaration shall not affect any other part hereof.

Section 5. All laws or parts of law which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: Apr. 15, 22, 29, May 6, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 7th day of May, 1971.

CONRAD M. FOWLER,
Judge of Probate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 310. To the Committee on County Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Agee, Mims, Wise, Benton, Kinsey and May:

H. 24. To provide for the seizure and confiscation of property used in the taking of deer and alligator from public waters.

Also:

By Messrs. McCorquodale, Agee, Mims, Wise, Benton, Kinsey and May:

H. 25. To make the hunting of wild turkey by firearms other than shotguns illegal and to prescribe the penalty therefor.

Also:

By Messrs. Jackson and Wise:

H. 35. To amend Section 2 of Act No. 1001, Acts of Alabama, 1951 Regular Session of the Alabama Legislature, approved September 14, 1951 (Acts 1951, p. 1672), which prohibits certain methods of taking birds and animals in this State so as to provide that the Director of Conservation can provide by regulation for the use of a scaffold in hunting.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 24, 25, and 35. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wood, Lyons, Perloff, Stokes, Roberts, Therrell, Collins, Hardin, Bassett, Benton, Erdreich, Cherner, Grainger, Agee, Gafford, Lang, Taylor, Harris, Barkett, Easters, Carter, Crowe, Naramore, Hobbie, Callahan, Warren, Edwards, Wise, Timmons and Stewart:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

Also:

By Messrs. Grainger, Hearn, Lutz, King, Hale, Williams and Headley:

H. 448. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Also:

By Messrs. Culver, Robertson, Bank, Connell, Jackson, O'Daniel, Adwell and Smith (K):

H. 300. To grant free fishing privileges in any public lakes in this State to certain resident citizens of the State.

Also:

By Messrs. Culver, Bank, Jackson, Connell, O'Daniel, Adwell and Smith (K):

H. 301. To provide for the seizure and confiscation of property used in illegal night hunting of deer.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 138, 448, 300 and 301. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mims:

H. 2. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Also:

By Mr. Fite:

H. 585. To amend Section 2 of Act No. 130, H. 184, Second Special Session 1965 (Acts 1965 Second Special Session, p. 183), which Act provides for the selection of textbooks and instructional material for use in the public schools in counties classified on a population basis.

Also:

By Mr. Easters:

H. 610. To regulate the compensation of jurors in all counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census.

Also:

By Messrs. Gloor, Falkenburg, McBride, Dill, Jones (E), Boutwell, Waggoner, Boles, Cherner, Wallace, Doss, Weeks, Parker (H), Erdreich, Meeks, Bowers, Ellis, Timmons, Gafford and Adwell:

H. 510. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Also:

By Messrs. Ellis, McBride, McDonald, Weeks, Wynot, Jones (F), Bank, Hale, Parker (H), Cauthen, Cherner, Adwell, Grainger, Doss, Falkenburg, Boles, Gloor, Culver, Waggoner, Boutwell, Jones (E), Roberts, Therrell, Perloff, Hardin, Turnham, Wallace, Downing, Lyons, Drake, St. John, Goodwin, Reid (R), Grey (D), Reynolds, Baker, Lutz, Parker (T), Collins, Pruitt, Carter, Cross, Chesnut, King, Waldrop, Hearn, Carnes, Crawford, Mathews, Brassell, Nettles, Casey, Burgess, Stewart, Agee, O'Daniel, Turner, Cottingham, McCluskey, Edwards, Smith (K), Snell, Adams, Gray (F), Reed (T), Barkett, Easters, Connell, Stubbs, Owens, Jackson, Wise, Benton, Kinsey, May, Straiton, Harris, Hobbie, Warren, Stokes, Wood, Robertson, Williams, Taylor and Headley:

H. 385. To require certain hospitals to furnish emergency care to persons in danger of loss of life, severe injury or serious illness, regardless of such persons' ability to pay; to require the state board of health to promulgate rules and regulations to effectuate the provisions of this act; and to prescribe penalties for violations.

Also:

By Mr. Pruitt:

H. 465. To authorize certain fiduciaries to convert, exchange or surrender any security as defined in this Act and to accept, receive and retain any other security as a result of any merger, reorganization, tender, exchange offer or other business transaction as enumerated in this Act; to provide that this Act shall apply to any security with respect to which this Act gives authority to a fiduciary no matter when the fiduciary relationship was established or when said security was acquired; to provide that the invalidity of any section, part or provision of this Act shall not affect the validity of the remaining portion of this Act; to repeal all laws or parts of laws in conflict with the provisions of this Act and to provide an effective date.

Also:

By Messrs. Smith (P), Grainger, Lutz, King, Hearn, Connell, Benton, Carter, Lang, Edwards, Boutwell, Dill, Kinsey, Burgess, McDonald, Headley, Jackson, Crowe, Merrill, Williams, Turnham, Waggoner, Bassett, Therrell, Barkett, Brassell, Pruitt, Snell, Bank, Drake, Mathews, Hardin, Casey, Agee, McCluskey, Wise, O'Daniel, Gloor, Jones (F), Nettles, Harris, Hale, Slate, Owens, Reed (T), Wallace, Cauthen, McBride, Hill, Waldrop, Chesnut, Baker, Parker (T), Ellis, Turner, Falkenburg, Parker (H) and Wynot:

H. 184. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Also:

By Messrs. Smith (P) and Turnham:

H. 285. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

Also:

By Messrs. Smith (P) and Turnham:

H. 286. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2, 184, 285, and 286. To the Committee on Agriculture.

H. B.'s 585 and 610. To the Committee on Local Legislation No. 1.

H. B. 510. To the Committee on Youth and Student Activities.

H. B. 385. To the Committee on Finance and Taxation.

H. B. 465. To the Committee on Judiciary.

(The above numbered Bills, H. B.'s 184 and 285, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 28. RELATIVE TO RESOLUTION TO PETITION FOR AN INVESTIGATION OF AIR TRAVEL IN ALABAMA.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McLain, Dominick and Shelby:

S. 341. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 176. To require physicians and surgeons to report judgments or settlements annually to the State Board of Medical Examiners, and requiring said Board to keep records of all reported judgments and settlements, and take necessary disciplinary action.

By Mr. Clark:

S. 177. Declaring privileged the decisions, opinions, actions and proceedings of committees of physicians and surgeons formed or appointed as Utilization Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

By Mr. Harris:

S. 183. Setting forth the right and time of appeal from revocation of a certificate of qualification issued under Article 3, Title 46, Code of Alabama, 1940, recompiled 1958, and specifically repealing sections 283 and 284 of Title 46.

By Messrs. Cooper and Lindsey:

S. 345. To provide that psychiatric services rendered in state mental hospitals and facilities shall be compensable in any policy or contract of insurance covering psychiatric services.

By Messrs. Cooper and Lindsey:

S. 346. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

By Messrs. Cooper and Lindsey:

S. 347. To amend Act No. 125, S. 86, Special Session 1909 (Acts 1909, p. 163), an act relating to the authority of a probate judge to expend monies in his charge for the support of minors or persons of unsound mind.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper (With Amendments):

S. 303. To establish the State Board of Health as the state non-ionizing radiation control agency for regulating, registering and inspecting sources and uses of non-ionizing radiation from sources such as lasers, masers, and microwave ovens which have been proved a detriment to public health; to authorize the agency to cooperate and enter into agreement with the Federal Government, interstate, and state agencies; to empower the agency to accept and administer loans, grants or other funds in furtherance of its functions, and to conduct training or research relative to the control of sources of nonionizing radiation; to provide for enforcement of this Act; to prescribe penalties for violation of this Act, to repeal conflicting laws, to provide for the effective date of this Act; and to provide an appropriation for carrying out the purposes of this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 33. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama.

By Mr. Carr:

S. 34. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama.

By Mr. Carr:

S. 35. Relating to judicial procedure in the Twenty-Seventh judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

By Mr. Carr:

S. 36. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit.

By Mr. Carr (with notice and proof):

S. 37. Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

By Mr. Shelby:

S. 44. To amend Act No. 283, H. 561, approved August 23, 1955, as last amended by Act No. 189, approved August 8, 1967, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit.

By Mr. Shelby (with notice and proof):

S. 132. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

By Mr. Malone (with notice and proof):

S. 150. Relating to Etowah County; to provide for the reorganization of the county board of education.

By Mr. Malone (with notice and proof):

S. 151. To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

By Mr. Malone (with notice and proof):

S. 152. To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

By Mr. Malone (with notice and proof):

S. 153. To alter or rearrange the boundary lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

By Mr. Cooper (with notice and proof):

S. 167. Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

By Mr. Fine:

S. 205. Relating to counties having populations of not less than 23,900 and not more than 24,450; to require a deposit on court costs in civil cases in intermediate courts in such counties.

By Messrs. Pelham, Noonan and Edington:

S. 215. To regulate further the excusing of persons from jury service in the Thirteenth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Mr. Givhan:

S. 245. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial

census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

By Mr. Clark:

S. 254. Relating to counties having populations of not less than 22,250 nor more than 23,000, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

By Mr. Carr (with notice and proof):

S. 261. To amend Section 35 of Act No. 30, S. 5 Approved May 31, 1963.

By Mr. Carr (with notice and proof):

S. 263. Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safe-keeping of such final records.

By Mr. Carr (with notice and proof):

S. 264. To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

By Mr. Carr (with notice and proof):

S. 265. To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

By Mr. Wilson:

S. 280. To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

By Mr. Wilson:

S. 287. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

By Mr. Wilson:

S. 288. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

By Mr. Hammond:

S. 290. To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act.

By Mr. Branyon (with notice and proof):

S. 291. Relating to Greene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures and other property within such buildings; and to repeal conflicting laws.

By Mr. Clark:

S. 308. To further amend Section 257, Title 13, Code of Alabama 1940, as amended, which fixes the compensation of the deputy district attorney of certain counties.

By Messrs. Pelham, Noonan and Edington:

S. 310. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

By Mr. McLain (with notice and proof):

S. 316. To authorize the Madison County Commission to provide for the relief of Howard Childers.

By Mr. Lindsey:

S. 326. Relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal census; to fix compensation and traveling expenses of the Superintendent of Education; and to repeal conflicting laws.

By Messrs. Noonan and Edington:

S. 334. To provide that the laws governing the county-wide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

By Mr. Owen:

S. 337. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

By Mr. Owen:

S. 359. Relating to counties having a population of not less than 34,875 nor more than 36,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook:

S. 293. To amend Act No. 765 of the Regular Session of the Legislature of Alabama of 1969, approved September 12, 1969 (Ala. Acts, 1969, p. 1358 et seq.), which Act provided in every County having a popula-

tion of 500,000 or more, according to the last or any subsequent federal census, for the creation of a Public Bureau for the purpose of attracting conventions and visitors to the County.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (with amendment):

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Weaver:

S. 189. To abolish the drawing of special venires in capital cases in the Twenty-Ninth Judicial Circuit of Alabama.

By Mr. Weaver:

S. 190. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Ninth Judicial Circuit of Alabama.

By Mr. Weaver:

S. 191. Relating to judicial procedure in the Twenty-Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

By Mr. Givhan:

S. 349. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

By Mr. Lindsey:

S. 361. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment of additional expense allowances of members of the county commissions or like governing body of such counties.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 35. Memorializing Audie Murphy.

Also:

H. J. R. 46. Proclaiming June 14th as Flag Day.

Also:

H. J. R. 40. Commending Boy Scouts of America and their Voluntary Leaders.

Also:

H. J. R. 41. Mourning the death of Mr. Douglas Carroll Martinson.

Also:

H. J. R. 50. Praising U. S. Congressman Tom Bevell.

Also:

H. J. R. 52. Sidney W. Johnson of Auburn University, on the occasion of his retirement.

Also:

H. J. R. 53. Commending Scouting on its National Keep America Beautiful Day and National Anti-Litter Day.

Also:

S. J. R. 29. Resolution mourning the death of Mr. Henry Delamar Watson of Clayton.

were again read and, on motion of Mr. Harris, were adopted by the Senate.

The Resolution:

H. J. R. 42. In Commemoration of Captain John Birch and Commending Governor Wallace for Proclaiming John Birch Day.

was again read and, on motion of Mr. Bailes, was referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"Notice in Writing having been given on a preceding legislative day, motion is now made to amend Senate Rule 46 by adding thereto the following paragraph:

"Any such committee may meet on the call of the chairman or a majority of the members thereof at any time during the interim between sessions of the Legislature."

which was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

RESOLUTION

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. J. R. 8. Ratifying proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

The question was on the amendment offered by Mr. Cooper, which said amendment is set out in the Journal of the Senate for the Eighth Legislative Day.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 31. Relative to the Legislative Intent in Connection with the Proposed Levy on Soy Bean Producers.

On motion of Mr. Register, said Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. J. R. 8

The Senate proceeded to further consideration of the Resolution, S. J. R. 8. The question was on the amendment offered by Mr. Cooper.

On motion of Mr. Cooper, further consideration of the Resolution, S. J. R. 8, and pending amendment, together with the Bill, S. B. 130, was postponed until the next Legislative Day as Unfinished Business.

On motion of Mr. Cooper, further consideration of the Bills, S. B.'s 131, 163 and 164 was postponed until the next Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 137. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	McLain	Register
Clark	Hammond	Malone	Shelby
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Jones		

—25

Nays:

—0

The Bill:

S. 140. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Gilmore	Lindsey	Owen
Branyon	Givhan	Littleton	Pierce
Clark	Harris	McLain	Register
Cook	Hawkins	Malone	Vacca
Cooper	Jones	Noonan	Wilder
Dominick			

—24

Nays:

—0

The Bill:

S. 141. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961, p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Gilmore	Lindsey	Owen
Branyon	Givhan	Littleton	Pierce
Clark	Harris	McLain	Register
Cook	Hawkins	Malone	Vacca
Cooper	Jones	Noonan	Wilder
Dominick			

—24

Nays:

—0

The Bill:

S. 142. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Gilmore	Lindsey	Owen
Branyon	Givhan	Littleton	Pierce
Clark	Hammond	McLain	Register
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Wilder
Dominick	Jones		

—25

Nays:

—0

The Bill:

S. 143. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	McLain	Register	
Clark	Hawkins	Malone	Shelby	
Cook	Jones	Noonan	Vacca	
Cooper	King	O'Bannon	Wilder	
Dozier				—24

Nays: —0

The Bill:

S. 144. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	McLain	Register	
Clark	Hawkins	Malone	Shelby	
Cook	Jones	Noonan	Vacca	
Dozier	King	O'Bannon	Wilder	
				—23

Nays: —0

BILL RE-REFERRED

Mr. Clark moved that the Bill, S. B. 23, be removed from the calendar and re-referred to the Standing Committee on Finance and Taxation, in accordance with Senate Rule 50, which motion was adopted; whereupon the President and Presiding Officer ordered said Bill removed from the calendar and re-referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 211. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized

under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 7. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 7, to-wit:

COMMITTEE AMENDMENT TO S. B. 7

In Section 1, line 3, after the word "bricks," add "sawdust, chips, and wood products,"

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Givhan	Lindsey	Owen	
Branyon	Hammond	Littleton	Pierce	
Clark	Harris	McLain	Register	
Cooper	Hawkins	Malone	Vacca	
Dominick	Jones	Noonan	Wilder	

—23

Nays: —0

On motion of Mr. Vacca, further consideration of the Bill, S. B. 7, as amended, was postponed until the next Legislative Day.

The Bill:

S. 22. To create, establish and provide for the operation of a legislative fiscal office as a division of the legislative branch of the state government to provide budget review, fiscal analysis and other types of financial information to the standing committees of the legislature and to the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; and to provide that such office shall be under the general

supervision and direction of a joint fiscal committee, but shall be a separate organization from the legislative reference service and completely independent thereof.

was taken up.

Mr. Dominick offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 22

A BILL TO BE ENTITLED AN ACT

To create, establish and provide for the operation of a legislative fiscal office to provide budget review, fiscal analysis and other types of financial information to the standing committees and the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; to create, establish and provide for the operation of a fiscal commission to supervise the operation of the legislative fiscal office; and to provide that such office shall be separate from and independent of the Legislative Reference Service.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a legislative fiscal office, which shall be a division of the legislative branch of government under the supervision, direction and control of an officer designated as the director of the Legislative Fiscal Office. The director shall be appointed by the fiscal commission hereinafter provided for at a salary not to exceed \$22,500.00 per annum, and may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to affect the purposes of this act. Such office shall be separate from and independent of the legislative reference service.

Section 2. The legislative fiscal office is established for the purpose as assisting the finance and taxation committee of the senate, the ways and means committee of the house of representatives, other standing committees of the legislature, and the individual members of the legislature by providing budget review, fiscal analysis, and other types of financial information. More specifically the legislative fiscal office is charged with the following duties:

- (1) Analysis and review of agency operating budget requests;
- (2) Answering requests from individual legislators for fiscal information;
- (3) Evaluating legislative proposals for fiscal effect (i.e. preparing fiscal notes).
- (4) Analysis of agency capital budget requests, with the intention of helping to establish priorities;
- (5) Studying, in depth, selected executive programs during the interim between sessions of the legislature;
- (6) Reviewing, on a continuous basis, agency budgets and programs;
- (7) Checking executive revenue estimates for accuracy and possible revision;
- (8) Reviewing federal aid programs to insure that Alabama is taking full advantage of its opportunities for federal assistance;

(9) Reviewing Alabama programs in which federal funds are involved and answering questions regarding efficiency, overlap, duplication or waste and whether the programs should be renewed or extended when federal funding runs out.

(10) Preparing research memoranda on both the short and long range costs of executive programs;

(11) Pointing out new sources of revenues;

(12) Assisting committees in developing means to periodically review executive programs for efficiency and effectiveness;

(13) Briefing committee members in advance of public hearings on the most important aspects of an agency's program, and assisting the committee in scheduling and preparing the agenda for the hearing;

(14) Performing such other duties as may be assigned by law or by the joint fiscal committee.

Section 3. There is hereby created a continuing legislative committee to be known as the fiscal commission whose duty it shall be to supervise the operation of the legislative fiscal office. The Commission shall consist of six persons, who shall be three members elected from the Senate of which no more than one member shall serve on the Finance and Taxation committee, and three members elected from the House of which no more than one member shall serve on the Ways and Means committee, and whose terms shall be for the quadrennium. The commission shall elect its own chairman and shall meet at the call of the chairman or any three members thereof, provided that the commission shall meet at least once each three months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in commission work.

Section 4. The expenses of the legislative fiscal office shall be paid from funds appropriated to the use of the legislature, provided the total amount so expended shall not exceed the sum of \$30,000 for the fiscal year ending September 30, 1971, nor the sum of \$75,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Register moved that further consideration of the Bill, S. B. 22, and pending substitute, be postponed until the next Legislative Day. On motion of Mr. Dominick, the motion to postpone was laid on the table.

Yeas 17; Nays 7.

Yeas:

Messrs.:	Dozier	King	Pierce
Bailes	Gilmore	Malone	Shelby
Branyon	Givhan	Noonan	Vacca
Cook	Hawkins	O'Bannon	Wilder
Dominick	Jones		

Nays:

Messrs.:	Cooper	Lindsey	Owen	
Clark	Hammond	Littleton	Register	—7

And said substitute for the Bill, S. B. 22, was then adopted by the Senate.

Yeas 20; Nays 5.

Yeas:

Messrs.:	Givhan	Lindsey	O'Bannon	
Bailes	Harris	Littleton	Pierce	
Cook	Hawkins	McLain	Shelby	
Dominick	Jones	Malone	Vacca	
Dozier	King	Noonan	Wilder	
Gilmore				—20

Nays:

Messrs.:	Cooper	Owen	Register	
Clark	Hammond			—5

ADJOURNMENT

At 6:50 P. M., on motion of Mr. Bailes, in accordance with Joint Resolution heretofore adopted, and pending further consideration of S. B. 22, S. J. R. 8 and S. B. 130, the Senate adjourned until Tuesday, June 22, 1971, at 2:00 o'clock P. M.

TENTH LEGISLATIVE DAY

TUESDAY, JUNE 22, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert C. Perry, Jr., Chaplain, Greil Memorial Hospital, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne	Owen		—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Jones for today.

INTERIM COMMITTEE REPORTS FILED

Under the provisions of S. J. R. 14, Organizational Session 1971, the Joint Interim Committee on Utility Rates filed its report with the Secretary.

Under the provisions of S. J. R. 101, Regular Session 1969, the Joint Interim Committee on Highway Safety filed its report with the Secretary.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 372. To be known as the "Consumer Protection Bill", delegating authority and prescribing responsibilities, to prohibit illegal, fraudulent, and deceptive practices, and to provide an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Harris:

S. 373. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material

transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Committee on Insurance.

By Messrs. Hammond and Foshee:

S. 374. Relating to highways; providing for the zoning by the Legislature of certain lands adjacent to the interstate and primary system highways as roadside commercial and for zoning and rezoning in certain cases by the boards of county commissioners, or through their authority in accordance with presently existing or hereafter enacted statutes; and to provide that the zoning hereby effected shall not, in itself, affect any taxes levied against real property or any assessment or assessment classification.

Committee on Transportation and Common Carriers.

By Mr. Lybrand:

S. 375. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

Committee on Business and Labor.

By Mr. Wilson:

S. 376. Relating to railroads; making it unlawful for any Railroad or Common Carrier to operate a Railroad Locomotive in a backward position on a Main, or Branch Line, between the working limits of switch crews, yards, and freight terminals.

Committee on Transportation and Common Carriers.

By Mr. Givhan:

S. 377. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama, 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama; to change the composition of the Alabama Dairy Commission to be a Commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and The Commissioner of Agriculture and Industries; to invest the Dairy Commission with power to employ services of economists, accountants, and other experts to assist the Commission in carrying out its functions; to in-

vest the Commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to protect producers and producer payrolls from insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the Commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the Commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the State of Alabama.

Committee on Agriculture.

By Mr. Givhan:

S. 378. To provide that the Sheriff of counties having a population of not less than 54,500 nor more than 56,000 according to the 1970 Federal Census, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Committee on Local Legislation No. 1.

By Messrs. Horne and Clark:

S. 379. To further amend Section 301 of Title 52 of the Code of Alabama 1940, as amended, which relates to children exempt from public school.

Committee on Education.

By Mr. Horne:

S. 380. Relating to certain schools, operating in this State; to require any person or other organization who operates such school or publicizes or offers for sale any course of study or course of instruction in this State to obtain a license from the State Department of Education for the operation of such school or the solicitation of students for such school; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Board of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Board of Education and providing penalties for violations.

Committee on Education.

By Messrs. Lindsey, Lybrand and Harris:

S. 381. To further provide for the enforcement of laws pertaining to drug control: to create and establish in the Office of the Attorney General of Alabama a division to be known as the Division of Narcotics and Dangerous Drugs: to provide for the powers, duty and authority of the Attorney General as the chief officer of said division: to authorize the employment, under the merit system, of adequate personnel and the acquisition of all necessary supplies and equipment: to provide for the powers of investigation, search, seizure and arrest and to confer the powers of a deputy sheriff upon the personnel and such other persons engaged in the enforcement of the laws of this State pertaining to narcotics, dangerous drugs and other controlled substances: to authorize the Attorney General, upon consent of the

sheriffs in each of the several counties in Alabama and the chiefs of police in each city in this State, to engage the services of the deputies, police or other peace officers for the purposes of enforcing the narcotics and dangerous drug laws of this State: to authorize the Attorney General in his discretion and with the consent of the officer or official in charge of any department, agency, bureau or institution of the State of Alabama to request and be granted the services of any law enforcement personnel, police, wardens or other law officer to assist in the enforcement of this act: and assign any of said law enforcement personnel to duties in any of the counties of the State for the purpose of enforcing said laws: to provide for the expenses of such persons while engaged in services to the Attorney General for the purpose of enforcing the provisions of this act: to make an appropriation for the maintenance and operation of such division and to provide for the acceptance of any gifts, grants, funds or equipment from the Federal government or any other source: to repeal all laws in conflict herewith and to provide for an effective date for this act.

Committee on Finance and Taxation.

By Mr. Clark:

S. 382. Pertaining to the appointment of a Deputy District Attorney for the 26th Judicial Circuit of Alabama and his salary.

Committee on Finance and Taxation.

By Messrs. Gilmore, Pierce, Clark, Hawkins, Bailes, Cook, King and Vacca.

S. 383. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

Committee on Municipal Government.

By Messrs. Gilmore, Pierce, Clark, Hawkins, Bailes, Cook, King and Vacca:

S. 384. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

Committee on Municipal Government.

By Mr. Bailes:

S. 385. To amend Title 13, Sections 9, 126 and 143, Code of Alabama 1940, so as to increase the penalty for contempt of certain courts.

Committee on Judiciary.

By Mr. Lybrand:

S. 386. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 45,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling

and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 387. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 388. To repeal Act No. 1117, S. 251, approved September 12, 1969, Regular Session of the Alabama Legislature 1969 (Acts 1969, p. 2060), entitled "An Act To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation"; and to provide that after the effective date of this Act any public corporation formed under the provisions of said Act No. 1117 shall have no further powers than those as are absolutely necessary to liquidate its outstanding obligations and commitments and to dissolve said corporation.

Committee on Judiciary.

By Messrs. Register and Hammond:

S. 389. To provide for the issuance of special personalized prestige license tags to owners of private passenger or pleasure motor vehicles upon which, in lieu of the numbers prescribed by law, shall be inscribed such special letters, numbers or other special marks, emblems,

symbols or badges of distinction or personal prestige, or combination thereof, as are approved by the state department of revenue; to prescribe an additional privilege fee for such special personalized tags; to regulate the use of such tags; to provide for the distribution and use of the proceeds derived from additional fees for such personalized tags; and to prescribe penalties.

Committee on Finance and Taxation.

By Messrs. Fine, Lybrand, Harris, O'Bannon, Pelham, Wilson, Malone and Carr:

S. 390. To prescribe a rule to apply in the circuit and inferior courts in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Committee on Judiciary.

By Mr. Fine:

S. 391. To amend Sections 3, 5, 6, 8, 11 and 13 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said act creating the Board of Nursing, relating to nursing and the practice of nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violations of said Act.

Committee on Health.

By Messrs. Shelby, Weaver, Lindsey, Lybrand and Harris:

S. 392. To revise existing bail practices in the courts of Alabama, and for other purposes, and to amend certain sections of Code of Alabama 1940, Title 15, to conform with such revision.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt and Manley:

H. 559. Relating to Sumter County; to provide for an additional clerk for the probate judge, and fixing compensation thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County; to provide for an additional clerk for the probate judge, and fixing compensation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Sumter County; to provide for the employment of one additional clerk in the office of the judge of probate for six months of each fiscal year to assist the judge of probate in the performance of his official duties. Such clerk shall be entitled to a salary of \$150.00 per month upon the certificate of the judge of probate to the governing body of such county stating that such clerk has actually been employed in such office payable out of the general fund of the county in the same manner that other employees of the county are paid. The judge of probate shall appoint and may discharge at his pleasure the clerk hereby authorized, and the judge of probate may at his pleasure designate the months in which the clerk may be employed.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared John S. Neel, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12, May 19, May 26, and June 2, all in the year 1971.

JOHN S. NEEL.

Sworn to and subscribed before me June 3, 1971.

CARLTON E. VAUGHAN,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 560. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 617. To amend the title and Section 1 of Act No. 356, H. 358, Special Session 1966 (Acts 1966, p. 497), which Act provides further for the duties and fees of sheriffs relative to county or inferior courts in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 618. To amend the title and Section 1 of Act No. 357, H. 359, Special Session 1966 (Acts 1966, p. 497), which Act relates to pistol permits in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 619. To amend the title and Section 1 of Act No. 340, H. 630, Regular Session 1961 (Acts 1961, p. 362), which Act relates to the compensation of members of the county governing body in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 620. To amend the title and Section 1 of Act No. 1121, H. 1110, Regular Session 1969 (Acts 1969, p. 2076), which Act provides further for the insuring of certain public school buildings and property in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 621. To amend the title and Section 1 of Act No. 129, H. 240, Special Session 1966 (Acts 1966, p. 163), which Act provides further for branch banks in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 622. To amend the title and Section 1 of Act No. 384, H. 883, Regular Session 1963 (Acts 1963, p. 887), which act provides an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 623. To amend the title and Section 1 of Act No. 337, H. 627, Regular Session 1961 (Acts 1961, p. 361), which Act provides that clerks of county courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

By Messrs. McCorquodale and Agee:

H. 624. To amend the title and Section 1 of Act No. 841, H. 1111, Regular Session 1969 (Acts 1969, p. 1545), which Act provides further for deputies for the sheriff in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 625. To amend the title and Section 1 of Act No. 339, H. 629, Regular Session 1961 (Acts 1961, p. 362), which Act relates to certain

duties of boards of registrars in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 559, 560, 617, 618, 619, 620, 621, 622, 623, 624 and 625. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Casey:

H. 471. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 471. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Williams and Fite:

H. 63. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

Also:

By Messrs. Ellis, Owens and Cauthen:

H. 86. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been cancelled, suspended, or revoked.

Also:

By Messrs. Lutz and Grainger:

H. 115. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate

shall accompany a petition for adoption, and so as to relieve the Department of Pensions and Security of certain responsibilities in relation to stepparent and other relative adoptions, and to amend Act No. 294, page 2351, and Act No. 297, page 2357, Acts of Alabama 1961, to so relieve said Department.

Also:

By Messrs. Grainger and St. John:

H. 112. To abolish county legislative agents in Alabama, and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 63, 86, 115, 112. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Headley:

H. 201. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county officers in Chilton County; and the regulation of costs and charges of courts in said county.

Also:

By Mr. Smith (K):

H. 204. To amend the title and Section 1 of Act No. 33, S. 63, Regular Session 1967 (Acts 1967, p. 364), which provides an expense allowance for county solicitors of certain counties classified on a population basis.

Also:

By Mr. Smith (K):

H. 205. To amend the title and Section 1 of Act No. 188, S. 292, Regular Session 1967 (Acts 1967, p. 555), which Act prohibits the catching of fish by use of a gill or trammel net in public waters of certain counties classified on a population basis.

Also:

By Mr. Smith (K):

H. 206. To amend the title and Section 1 of Act No. 926, H. 893, Regular Session 1961 (Acts 1961, p. 1485), which act provides further for the compensation and allowances of members of the jury commission and clerk of the jury commission of certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 443. To levy in Washington County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Washington County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide for the disposition of the proceeds of said tax; and to prescribe additional penalties for certain violations.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To levy in Washington County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Washington County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act. No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide for the disposition of the proceeds of said tax; and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department" means the state department of revenue. (b) The word "county" means Washington County, Alabama. (c) The word "annual" means the calendar year, of the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid,

if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (e) The word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water. (h) The word "person" means any natural person, firm, co-partnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil or gas production in Washington County, which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters of Washington County, and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether produced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or a payment in money or other valuable consideration.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20), there is hereby levied, and to be collected as hereinafter provided, annual privilege taxes upon every person engaging or continuing to engage within Washington County, Alabama in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said county for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of one per cent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production in Washington County, including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state or county; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition

Section 3. (a) The privilege tax hereby imposed in Washington County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and

such tax shall constitute a first lien upon any of the oil or gas so produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state or condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this act; and if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due; and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, p. 20), as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefor which are in addition to the costs for collecting the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945, as amended. The amount charged shall be such amount as the commissioner of revenue and the county governing body shall agree upon, but shall not exceed ten percent of the amount collected. Such charges, if any, for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Washington County during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury

for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month any charges due the department for the collection of the taxes for the county. From the amount paid into the State Treasury for the benefit of Washington County under the provisions of this act it shall be the duty of the comptroller to issue his warrants each month payable as follows: Each year the first \$150,000 shall be paid to the custodian of the Washington County School Funds and after the payment of said \$150,000 each year the balance of said funds shall be divided and paid 1/3 to the custodian of the Washington County School Funds and 2/3 to the custodian of the General Fund of Washington County. The amounts paid under the provisions of this act into the Washington County School Funds may be expended by the Washington County Board of Education for any public education purposes in Washington County and the amounts deposited to credit of the General Fund of Washington County may be expended by the county governing body in the same manner and for the same purposes as are other monies in said general fund.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall be punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court when applied for in the manner prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective October 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 29, May 6, May 13, and May 20, all in the year 1971.

DALTON JACKSON.

Sworn to and subscribed before me May 24, 1971.

ANNETTE R. BAXTER,
Notary Public.

Also:

By Messrs. Chesnut and Baker:

H. 468. Relating to Cherokee County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County; authorizing the county governing body of the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Cherokee County is hereby authorized to appropriate or expend county funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within the county. After the county governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions, payment shall be made from any funds in the county treasury not otherwise appropriated upon the warrant of the chairman of the county governing body.

the warrant of the chairman of the county governing body.

Section 2. The governing body of any municipality in Cherokee County is likewise authorized to contribute municipal funds to such rescue squad when its governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions. Payment shall be made from municipal funds upon the warrant signed by the mayor or other presiding officer of the municipal governing body.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1971.

JOE SHAW, JR.

Sworn to and subscribed before me May 24, 1971.

JOAN MORRISON,
Notary.

Also:

By Mr. Lang:

H. 483. To fix the compensation of the deputy solicitor of Greene County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of the deputy solicitor of Greene County
Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the deputy solicitor appointed for Greene County shall be an annual salary of six thousand dollars (\$6,000) and shall be payable in equal monthly installments from the county treasury.

Section 2. All laws or parts of law, general, local or special, which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, known to me, who, upon being first duly sworn by me, deposed and said that during the times herein mentioned he was the Publisher of the Greene County Democrat, a newspaper of general circulation published and printed in Greene County, Alabama, and that the attached and foregoing notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on the 8th, 15th, 22nd and 29th days of April, 1971.

RICHARD K. MARTIN.

Sworn to and subscribed before me this 30th day of April, 1971.

HARRY W. McGEE,
Notary Public.

Also:

By Mr. Lang:

H. 484. Authorizing compensation for clerical assistants for the tax assessor of Greene County and providing payment of such compensation out of county funds.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Authorizing compensation for clerical assistants for the tax assessor of Greene County and providing payment of such compensation out of county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Greene County may employ such clerical assistants as he deems necessary. Compensation for such clerical assistants shall be payable out of county funds not to exceed five thousand dollars (\$5,000) annually in monthly installments on the certificate of the tax assessor.

Section 2. All laws or parts of laws, general, local or special, in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, known to me, who, upon being first duly sworn by me, deposed and said that during the times herein mentioned he was the Publisher of the Greene County Democrat, a newspaper of general circulation published and printed in Greene County, Alabama, and that the attached and foregoing notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on the 8th, 15th, 22nd and 29th days of April, 1971.

RICHARD K. MARTIN.

Sworn to and subscribed before me this 30th day of April, 1971.

HARRY W. McGEE,
Notary Public.

Also:

By Mr. Lang:

H. 485. To amend the title and Section 1 of Act No. 165, H. 543, Regular Session 1965 (Acts 1965, p. 232), which act provides for the fixing of per diem pay for members of the board of equalization of certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 486. To amend the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 201, 204, 205, 206, 443, 468, 483, 484, 485, and 486. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 201, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 183. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

Also:

By Messrs. Hardin, Edwards and Bassett:

H. 186. Relating to judicial procedure in the Second Judicial Circuit; regulating and providing further for the separation of the Jury by consent in felony cases in such circuit.

Also:

By Messrs. Collins, Callahan, Stubbs, Smith (P), Jackson, Coshatt, Wynot, Culver, Crowe, Headley, Adwell, Gloor, Connell, Boutwell, O'Daniel, Williams, McCorquodale, Grainger, Hardin, Lutz, King, Cauthen, Slate, St. John, Manley, Harris, Turner, Cottingham, Snell, Drake and Bassett:

H. 222. To regulate further arrests at the scene of a traffic accident; to authorize certain uniformed law enforcement officers to make arrests at such scenes without a warrant under certain conditions and circumstances.

Also:

By Mr. Stubbs:

H. 311. To amend Section 396, Title 51, Code of Alabama 1940, as amended, which relates to fiduciary returns and to remove the requirement that the returns be made under oath.

Also:

By Mr. Stubbs:

H. 312. To amend Section 406, Title 51, Code of Alabama 1940 which relates to corporation returns and the officials authorized to sign the returns; to remove the requirement that the return be sworn to by such officials.

Also:

By Mr. Stubbs:

H. 313. To amend Section 426, Title 51, Code of Alabama 1940 relating to excise tax on financial institutions and the officials authorized to sign returns; to remove the requirement that the return be sworn to by such officials.

Also:

By Messrs. Hill, Flippo, Baker and Waldrop:

H. 334. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

Also:

By Mr. Hill:

H. 340. To provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme Court or the Court of Appeals of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

Also:

By Messrs. Hill, St. John, Lutz, Perloff, Harris, Nettles, Straiton, Taylor, Carnes, Erdreich, Doss and Flippo:

H. 343. To repeal Sections 22, 23, and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 183, 186, 311, 312, 313, 334, 340 and 343. To the Committee on Judiciary.

H. B. 222. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale and Agee:

H. 626. To amend the title and Section 1 of Act No. 343, H. 633, Regular Session 1961 (Acts 1961, p. 364), which Act provides for the payment of the salaries of certain employees on a semi-monthly basis in certain counties classified on a population basis.

Also:

By Messrs. Pruitt and Manley:

H. 561. Relating to counties having populations of not less than 14,500 nor more than 15,500, fixing the fee for issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fees.

Also:

By Messrs. Pruitt and Manley.

H. 562. To apply only to counties having a population of not less than 16,700 nor more than 18,000 according to the most recent federal census; allowing the sale of alcoholic beverages in certain locations previously prohibited.

Also:

By Messrs. Manley and Pruitt:

H. 563. Relating to Marengo County; to prescribe the qualifications of the county superintendent of education in Marengo County; and to regulate his compensation and expense allowances.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; to prescribe the qualifications of the county superintendent of education in Marengo County; and to regulate his compensation and expense allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. The county superintendent of education in Marengo County shall be a person of good moral character, of recognized ability as a school administrator, with academic and professional education equivalent to graduation from a standard university or college, having a master's degree; and he shall have had not less than five years of experience in public school work. He need not be a qualified elector of the county nor of the State of Alabama.

Section 2. The salary of the county superintendent of education in Marengo County shall be fixed by the county board of education at an amount not exceeding \$15,000 a year. Such salary shall be payable at the time and manner prescribed by the general laws of Alabama regulating the payment of compensation of county superintendents of education. Each such county superintendent of education shall also be allowed travel expenses, not to exceed \$2,400 a year, exclusive of extraordinary expenses. Such allowances for extraordinary expenses shall be made on the basis of each individual request therefor and in such amount as the county board of education, in its discretion, determines is reasonable under the circumstances and specifically authorizes.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws, general, local or special, in conflict herewith are hereby superseded and repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1971.

GOODLOE SUTTON.

Sworn to and subscribed before me June 8, 1971.

JEAN R. SUTTON,
Notary Public.

Also:

By Messrs. McCorquodale and Agee:

H. 612. To amend the title and Section 1 of Act No. 86, H. 193, Second Special Session 1965 (Acts 1965, p. 116), which Act provides further for the maintenance and care of ancient cemeteries or burial grounds by municipal corporations in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 611. To amend the title and Section 1 of Act No. 383, H. 882, Regular Session 1963 (Acts 1963, p. 887), which Act provides further for the compensation and expense allowance of county superintendents of education of certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 574. Relating to counties having populations of not less than 18,500 nor more than 20,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Messrs. McCorquodale and Agee:

H. 613. To amend the title and Section 1 of Act No. 355, H. 357, Special Session 1966 (Acts 1966, p. 496), which Act provides further for official bonds of public officers and employees in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 614. To amend the title and Section 1 of Act No. 649, H. 874, Regular Session 1967 (Acts 1967, p. 1470), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

By Messrs. McCorquodale and Agee:

H. 615. To amend the title and Section 1 of Act No. 650, H. 875, Regular Session 1967 (Acts 1967, p. 1471), which Act provides further for the compensation of jurors in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 626, 561, 562, 563, 612, 611, 574, 613, 614 and 615. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stewart, Merrill and Burgess:

H. 21. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

Also:

By Mr. Casey:

H. 27. To amend Section 460, Title 51, Code of Alabama, 1940, as amended, relating to annual license fees for attorneys.

Also:

By Messrs. Erdreich and Boutwell:

H. 65. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Also:

By Messrs. Erdreich and Boutwell:

H. 66. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 21, 27, 65 and 66. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Waldrop, Carnes, Cross, Carter, Coshatt, McCorquodale, Jackson, Perloff, Smith (P), Benton, Hill, Brassell, Naramore, Kinsey, Snell, Roberts, Culver, Chesnut, Parker (H), Williams, McCluskey, Reynolds, Cauthen, Cottingham, Turner, Easters, Casey, Therrell, Jones (E), Grey (D), O'Daniel, Hale, Flippo, Dill, Boles, Parker (T), Erdreich, Doss, Weeks, Pruitt, Baker, Crowe, Reid (R), Gray (F), Jones (F), Reed (T), Barkett, Wise, Wynot, Hearn, King, Lutz, Grainger, McDonald, Bank, Gloor, Stokes, Nettles, Warren, Burgess, Harris, Agee, Stewart, Mathews, Lang, Goodwin, Drake, Robertson, May, Straiton, Hardin and Hobbie:

H. 394. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

Also:

By Messrs. Bank, Carnes, Jackson, Stubbs, Connell, Coshatt, Culver and Wynot:

H. 291. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Also:

By Messrs. Bank, Carnes, Smith (P), Jackson, Stubbs, Coshatt, Smith (K), Culver and Wynot:

H. 316. Relating to model glue; prohibiting inhalation and providing a penalty.

Also:

By Messrs. Cherner, Erdreich and Doss:

H. 359. To prescribe standards for existing and future public facilities for the general assembly of people such as auditoriums, theaters, assembly halls, coliseums, and stadiums but not limited to these facilities; and, to direct the State Building Commission to provide adequate periodic inspection services to insure compliance with such standards necessary to provide for the health, safety, and welfare of the people of Alabama.

Also:

By Messrs. Cherner, Dill, Callahan, Culver, Erdreich and Adwell:

II. 360. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 394. To the Committee on Transportation and Common Carriers.

H. B.'s 291 and 316. To the Committee on Health.

H. B. 359. To the Committee on Public Buildings and Grounds.

H. B. 360. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lang:

H. 487. To amend the title and section 1 of Act No. 628, H. 1022, Regular Session 1965 (Acts 1965, p. 1150), which act provides a clerk-hire allowance for certain officers of certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 488. To amend the title and Section 1 of Act No. 395, H. 1023, Special Session 1969 (Acts 1969, p. 771), which act provides for increasing the salary of the deputy solicitor of certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 489. To amend the title and Section 1 of Act No. 21, H. 71, Third Special Session 1965 (Acts 1965, p. 227) which act authorizes the county commission in certain counties classified on a population basis to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Also:

By Messrs. McCluskey and Smith (P):

H. 516. Relating to Talladega County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Talladega County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the type of newspapers designated in Section 713 of title 7, Code of Alabama 1940, as last amended, in which publication of certain notices may be published, in Talladega County the publication of any notice required by law or mortgage or other contract to be published in a newspaper may be published in any newspaper printed in the English language which has general circulation in such county, regardless of where the paper is printed, if the principal editorial office of the newspaper is located within the county, and regardless of whether or not said newspaper is mailed under the second class mailing privilege of the United States post office department.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. W. A. Moody, who, being

by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Sylacauga Advance, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 29, May 6, May 13, and May 20, all in the year 1971.

MRS. W. A. MOODY.

Sworn to and subscribed before me May 31, 1971.

H. C. KRAMER, JR.,
Notary Public.

Also:

By Mr. O'Daniel:

H. 528. To amend Section 3 of Act No. 466, H. 1194, approved September 14, 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts and providing for the election of such commissioners; so as to provide further for the election and qualifications of the commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 466, H. 1194, approved September 14, 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts and providing for the election of such commissioners; so as to provide further for the election and qualifications of the commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 466, H. 1194, REgular Session 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts is amended to read as follows:

"Section 3. That the county commissioners shall be elected by the qualified electors of the county at large, but no person shall be eligible as a candidate for member of the county Commission or other like county governing body unless he is a bona fide resident of the district he seeks to represent. Each member of the county governing body must reside in the district he represents during his continuance in office."

Section 2. This act shall ecome effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who by me first being duly sworn deposes and says that he

is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice (style case) A Bill to be Entitled an Act (To amend Section 3) was published in said newspaper for 4 successive weeks to-wit: April 8, 15, 22, 29, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 4th day of May, 1971.

JIMMY L. BALLENTINE,
Notary Public.

My commission expires 7/10/74.

Also:

By Messrs. Pruitt and Manley:

H. 552. To apply only in counties having populations of not less than 16,700 nor more than 18,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

By Messrs. Pruitt and Manley:

H. 553. Relating to Sumter County: To regulate the amount of and the manner of paying the compensation of the Chief Clerk for the Tax Assessor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County: To regulate the amount of and the manner of paying the compensation of the Chief Clerk for the Tax Assessor.

Be It Enacted by the Legislature of Alabama:

Section 1. Three-fourths of the compensation of the Chief Clerk for the Tax Assessor of Sumter County shall be paid out of the general fund of the county and the remainder thereof shall be paid by the Tax Assessor. The Court of County Commissioners, Board of Revenue, or other like governing body of the county shall fix the total amount of such Chief Clerk's salary at an amount not in excess of Four Thousand Dollars (\$4,000) per annum. Three-fourth of the amount so fixed shall be paid out of the County Treasury to the Chief Clerk in equal monthly installments at the times and in the manner that the salaries of county employees are paid.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective on the first day of the first month beginning after the passage and approval of this act by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, 20, 27, and June 3, all in the year 1971.

DICK SMITH.

Sworn to and subscribed before me May 31, 1971.

WANDA T. SMITH,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 554. To repeal Act No. 215, H. 372, approved August 30, 1966, entitled, "An Act To regulate the amount of and the manner of paying the compensation of the Chief Clerks for the Tax Assessors of all counties having populations of not less than 20,000 nor more than 21,000 according to the most recent federal decennial census." (Acts of Alabama 1966, Vol. I, page 267).

Also:

By Messrs. Pruitt and Manley:

H. 555. Relating to Sumter County; providing for the operation of non-profit ambulance services by the municipalities of Livingston and York in said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County; providing for the operation of non-profit ambulance services by the municipalities of Livingston and York in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing bodies of the municipalities of Livingston and York located in Sumter County are each hereby authorized to create and establish, maintain and operate an ambulance service to promote the health, welfare and safety of residents of the municipalities, and of citizens and others traveling within the police jurisdiction of

each municipality. Toward this end each such municipality may appropriate public funds, employ such personnel, and purchase and maintain such equipment and other facilities as may be needed for such purpose.

Section 2. The governing bodies of each such municipality may by ordinance provide for operation of the ambulance service herein authorized, and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 15, 22, 29, and May 6, all in the year 1971.

DICK SMITH.

Sworn to and subscribed before me May 27, 1971.

WANDA T. SMITH,
Notary Public.

My commission expires June 24, 1974.

Also:

By Messrs. Pruitt and Manley:

H. 556. Relating to Sumter County; authorizing the Sumter County Commission to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; authorizing the Sumter County Commission to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county. Be it enacted by the Legislature of Alabama:

Section 1. The Sumter County Commission is hereby authorized to appropriate and expend county funds to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county. After the County Commission shall have duly adopted and recorded in its minutes a resolution to make such an appropriation, payments shall be made from any funds in the county treasury not otherwise appropriated upon the warrant of the chairman of the county governing body.

Section 2. The operation of this act shall be retroactive to April 6, 1970 and all payments made pursuant thereto on and after that date are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared John S. Neel, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 7, April 14, April 21, and April 28, all in the year 1971.

JOHN S. NEEL.

Sworn to and subscribed before me May 31, 1971.

CARLTON E. VAUGHAN,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 557. To repeal Act No. 547, S. 606, approved September 7, 1967, entitled, "An Act To amend Section 28 (1), Subdivision 1, Article 23A, Title 14A of the Code of Alabama, Recompiled 1958, 1965 Cumulative Supplement, as last amended (1961, p. 455, appvd. Aug. 7, 1961), providing for additional clerk in office of judge of probate, and fixing the compensation therefor." (Acts of Alabama 1961, Vol. II, p. 1296).

Also:

By Mr. Pruitt:

H. 558. To repeal Act No. 427, H. 928, approved August 7, 1961, entitled, "An Act To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 487, 488, 489, 516, 528, 552, 553, 554, 555, 556, 557 and 558. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDonald, St. John and Drake:

H. 130. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama, the Seventh Judicial Circuit of Alabama and the Thirty-Second Judicial Circuit of Alabama.

Also:

By Messrs. McDonald, St. John and Drake:

H. 131. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit, the seventh judicial circuit of Alabama and the thirty-second judicial circuit of Alabama.

Also:

By Messrs. McDonald, St. John and Drake:

H. 132. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama, the Thirty-Second Judicial Circuit of Alabama.

Also:

By Messrs. McDonald, St. John and Drake:

H. 133. Relating to judicial procedure; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

By Messrs. Perloff, Lang, Wood, Carter, Wynot, Grey (D), Wallace, Erdreich, Manley, Owens, Cauthen, Carnes, Cherner, Mims, Cottingham, Stokes and Casey:

H. 137. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Also:

By Messrs. Gloor, St. John, Lutz, King, Merrill, Bank, Adwell, Slate and Cherner:

H. 208. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

Also:

By Messrs. Wood, Manley, Slate and Perloff:

H. 256. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Also:

By Mr. Merrill:

H. 268. To further amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629) as amended, which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Also:

By Mr. Bowers:

H. 315. To amend Section 587 of Title 37, Code of Alabama, 1940, as amended, relating to appeal from recorder's court.

Also:

By Mr. Hill:

H. 345. To allow prospective jurors to be excused without the presence of the defendant in any Judicial Circuit of Alabama.

Also:

By Mr. Hill:

H. 346. To regulate further the excusing of persons from jury service in the Circuit Courts of the State; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

By Messrs. Erdreich, Carnes, Waldrop, Wynot, Stewart, Cauthen, Parker (H), Lutz, Smith (P), Hill, Wood, Stokes, Crowe, Doss, Boutwell, Adwell, Wallace, Boles, Burgess, Perloff and Hale:

H. 379. To amend Section 666, Title 7, Code of Alabama, Recompiled 1958, relating to amount of wages or salary exempt from estate of deceased employee.

Also:

By Messrs. Carnes, Casey, Waldrop, Hill, Wood, Gray (F), Erdreich, Boutwell, Merrill, Stewart, Brassell, Wynot, Lutz and Straiton:

H. 396. To amend Section 123 of Title 7 of the 1940 Code of Alabama relating to actions for wrongful act, omission, or negligence causing death.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H B.'s 130, 131, 132, 133, 137, 208, 256, 268, 315, 345, 346, 379 and 396. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale and Agee:

H. 616. To amend the title and Section 1 of Act No. 517, H. 881, Regular Session 1963 (Acts 1963, p. 1105), which Act provides that the clerks of county courts or other inferior courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants in felony cases, and issue search warrants.

Also:

By Messrs. Crawford and Connell:

H. 269. Relating to Counties having a population of not less than 13,200 nor more than 13,500 to provide further for the distribution of fines and forfeitures in certain cases.

Also:

By Messrs. Connell and Crawford:

H. 490. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill will be introduced at the next session of the legislature of the state of Alabama A bill to be entitled an act To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424 Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967, Be it enacted by the Legislature of Alabama: Act No. 103, H. 363, approved June 18 1953 (Acts of Alabama 1953, pages 145-154) which provides for the establishment of a City of Dothan Pension and Retirement System, is hereby amended to read as follows: Section 1 There is hereby established for the City of Dothan, hereinafter called the "City", a Pension and Retirement System, hereinafter called the "System", which shall exist and be maintained for the benefit of the persons hereinafter named, the funds for which shall be derived and raised in the manner hereinafter provided. Section 2. Membership. The membership of the System shall be composed as follows: (1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this

Act. (2) All persons who become employees after the date of the enactment of this law, there becoming members to be a condition of their employment. Elected Officials, City Attorneys the City Recorder, independent contractors, and temporary employees employed for less than ninety (90) days shall not be eligible for membership. (3) Employees drafted or entering directly into the Armed Forces of the United States during a national emergency, provided such employee does not withdraw his contributions as provided in Section 4 (1), and provided such employee returns to the service of the City within one (1) year after having been honorably discharged from the Armed Forces, and such employee avails himself of the first opportunity for discharge or release from the service following the cessation of hostilities, which return to the service of the City during this period of one (1) year after such honorable discharge or release shall entitle such employee to credit for continuous service toward the attainment of conditions required for retirement or benefits. Section 3. Pension Board. (1) There is hereby created a Pension Board who shall act as Trustees, and in whom is vested the general administration and management of the System, and the making effective the provisions of this Act. The members of the Pension Board, all of whom shall serve without compensation, shall consist of the Mayor and - or President of the Board of Commissioners of the City, Chairman of the City Board of Education, the City Attorney the Treasurer of the City of Dothan, who shall be the Treasurer of the System and be bonded as required by the Pension Board, and an Employee-Department Head to be chosen by other Employee-Department Heads. (2) The Mayor shall act at all times as chairman of the Pension Board, and in his absence, the majority of the Board shall elect a Chairman to act in his stead. A majority of the Board shall constitute a quorum for the transaction of business, and any action taken shall be approved in writing by not less than three (3) of its members. The Pension Board shall hold such meetings as are necessary to transact its business, and in any event not less than one (1) meeting each three (3) months. The City Clerk shall act as Secretary of the Pension Board and shall give sufficient notice to its members of all meetings called by its chairman and shall keep a written minute record of all meetings, and shall attest all official written documents of the board, which shall be written into the official document records of the City Clerk's Office. All necessary accounting records shall be kept under the supervision of and in the office of the Clerk-Treasurer of the City, and the necessary clerical expense and supplies for keeping required records shall be deemed as an authorized expenditure from the general funds of the City. Payments from funds shall be made by check drawn by the Clerk-Treasurer and countersigned by the Chairman, after having been authorized and directed by the Board as shown in the minutes. (3) Oath of office of the Pension board members. All members of the Pension Board, as trustees for the System within ten (10) days after his appointment or election, shall take an Oath of Office that he will diligently and honestly administer the affairs of the Pension Board and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the System. Such oath shall be subscribed to by the members making same, certified by the official before whom it is taken, and immediately filed in the Office of the Probate Judge of Houston County. Section 4. The method of financing and composition of funds. All of the assets of the System shall be accounted for according to the purpose for which they are held among three (3) funds, namely, the Annuity Fund, the Pension Accumulation Fund and the Retirement Fund. (1) The Annuity Fund shall be a fund in which shall be accumulated contributions from the compensation of members. Contributions to and payments from the Annuity Fund shall be made as follows: (a) Five per cent (5 per cent) to be deducted from each

member's pay on each and every payroll. Each member, as a condition of his or her employment, shall be deemed to consent and agree to the deduction provided for herein and the payment of such salary or compensation less such deductions shall be a complete and full discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefit provided under this Act. The deductions herein provided for shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Each amount so deducted shall be paid into the Annuity Fund, and shall be credited to the individual account of the member from whose compensation said deduction was made. (b) Membership in the System is canceled upon termination of employment, and upon such termination the amount of the deduction made from such employee's compensation shall be refunded out of the Annuity Fund on the following basis and conditions: Members employed five years and less all annuity payroll deductions, less ten per cent (10 per cent) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership. Members employed over five (5) years and less than ten (10) years, all annuity payroll deductions, less five per cent (5 per cent) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership. Members employed ten (10) years and over, all annuity payroll deductions, less two and one-half per cent (2½ per cent) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership. Upon termination by death, all annuity payroll deductions shall be returned to the properly designated beneficiary of the member without any charge or deduction being made for protection as mentioned above. (c) Upon the termination of employment and membership in the System, the amount deducted from the refund to such employee as provided in Sub-Section (b) above, shall be transferred into the Retirement Fund hereinafter provided for. (d) Upon the retirement of any employee-member of the System the amount of the annuity funds accumulated or deposited to the credit of such retired employee, shall be transferred and credited to the individual account of the retired member in the Retirement Fund. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the system. (2) Pension Accumulation Fund The Pension Accumulation Fund shall be a fund into which the City of Dothan shall deposit each month a sum equal to the payroll annuity deductions from employee-members' salaries. (a) Upon the termination of employment and membership in the System, the amounts deposited into the Pension Accumulation Fund to the credit of such employee terminating employment and membership shall be transferred from the Pension Accumulation Fund into the Retirement Fund to be used for the payment of retirement benefits hereinafter provided for. (b) Upon the retirement of any member as hereinafter provided disabled for, the amounts deposited into the Pension Accumulation Fund to the credit of such retiring employee shall be transferred from the Pension Accumulation Fund into the Retirement Fund and credited to the individual account of the retired employee-member as provided in Section 4 (1) (d) above, who shall receive benefits from the Retirement Funds as hereinafter provided. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the System. (3) The Retirement Fund. The Retirement fund shall be a fund into which shall be deposited all funds transferred from the Annuity Fund and from the Pension Accumulation

Fund as provided for in Sub-Sections (1) and (2) above of Section 4, from which retirement benefits are paid. (a) In addition to transfers from the Annuity and Pension Accumulation Funds, the Pension Board may take by gift, grant, device or bequest, any money personal property, real estate, or interest therein for the benefit of the fund. (b) All amounts in excess of the amount protected by the Federal Depositors Insurance Corporation or similar plan by the Federal Government deposited in any bank or savings and loan association in any of the three (3) funds provided for herein shall be forthwith invested in bonds or securities which are direct obligations of the United States of America. All amounts deposited in any such bank or savings and loan association in excess of amounts required to pay monthly benefits shall be placed on deposit so as to draw interest. Interest and earnings from investments and deposits shall be deposited into the Retirement Fund. (c) Every three (3) years the System shall be reviewed by a reputable actuary selected by the Pension Board. The Pension Board upon receipt of the report of such actuary shall make recommendations to the legislative delegation and City officials for any needed revisions. Section 5. Creditable service. For the purpose of attainment of the period of service required for retirement under the provisions of this Act, the following conditions shall prevail and none other: (1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this Act and who were members of the Alabama Employees Retirement System, shall receive credit for all prior service evidenced by Alabama Employees Retirement System prior years certificates, and so long as membership continues, such prior service certificate shall be final and conclusive for retirement purposes as to such service credited prior to this Act, except that any such certificate found to be inaccurate as to actual prior service according to records in the City Clerk's Office may be amended by resolution of the governing body of the City with the concurrence of the Pension Board upon certification of the City Clerk as to the actual service prior to the City of Dothan's withdrawal from the Alabama Employees Retirement System any employee should have credit for. (2) Employee-members drafted or entering directly into the Armed Forces of the United States and complying with Section 2, Sub-Section (3), will receive credit for continuous service. (3) Creditable service at retirement on which retirement allowances of a member shall be based, shall consist of the membership service rendered by him since he last became a member, and also if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate. (4) Anything in this Act to the contrary notwithstanding, any member having twenty-five (25) or more years of creditable service shall be eligible to continue in the membership of the System whether employed by the City or not, until he files application for service retirement, at which time he shall be eligible for all benefits for full retirement, at which time he shall be eligible for all benefits for full retirement as though all other conditions and requirements had been attained and fulfilled. Continuation of employment beyond twenty-five (25) years shall entitle such an employee's benefits to be computed on the basis of his total years service multiplied by fifty per cent (50 per cent) of his highest average annual salary for any previous consecutive five (5) years, and divided by twenty-five (25). Section 6. Service retirement benefit (1) Any member in service may retire upon written application to the Pension Board setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, he desires to be retired, provided said member at the time so specified for his retirement shall have become disabled, attained the age, and or served the period required under the provisions of this Act which said employee desires to be retired. (2) Full Retirement.

Any employee-member who shall have served or accumulated twenty-five (25) years of creditable service, shall be eligible for full retirement. Such employee may be retired upon proper application and for the rest of his life receive as a retirement allowance a sum payable from the Retirement Fund amounting to the number of years creditable service accumulated multiplied by fifty per cent (50 per cent) of his highest average annual salary for any previous consecutive five years divided by twenty-five (25) payable in monthly installments. (3) Any employee-member who has attained the age of sixty (60) of his last birthday, and has served or accumulated a total of fifteen (15) years creditable service, may retire voluntarily for reasons of his own. Upon retirement under the provisions of this section, such employee shall receive as a retirement allowance the rest of his life, a sum payable from the Retirement Fund equal to the number of years creditable service accumulated multiplied by fifty per cent (50 per cent) of his highest average annual salary for any previous consecutive five (5) years and divided by twenty-five (25), payable in monthly installments. Any employee-member who has reached the age of sixty-eight (68) years, and has accumulated at least ten years creditable service shall be retired forthwith, and upon proper application shall receive for the rest of his life as a retirement allowance a sum payable from the Retirement Fund amounting to the number of years of creditable service accumulated, multiplied by fifty per cent (50 per cent) of his highest average annual salary for any previous consecutive five (5) years and divided by twenty-five (25) payable in monthly installments. (4) Disability Retirement. Any employee-member who has served or accumulated as much as ten (10) years creditable service, may be retired on a disability retirement allowance, provided that a Medical Board, to be composed of the County Health Officer and two (2) other practicing medical doctors designated by the President of the Houston County Medical Association, after an examination of such employee, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent and that such members should be retired. Upon retirement for disability, such employee-members shall receive as a retirement allowance for the rest of his life, unless such amount shall be modified or changed by proper action as hereinafter provided for, a sum payable from the Retirement Fund amounting to fifty per cent (50 per cent) of his highest average annual salary for any previous consecutive five (5) years multiplied by the number of years creditable service limited to a maximum of twenty (20), and divided by twenty (20), payable in monthly installments (5) Any member who as a result of his employment, in line of duty or while discharging his duties, or in the performance of his duties, or as a result of hazardous assignment, and not the result of his own misconduct, shall become permanently and totally to the extent that he cannot perform properly his former duties of employment or his duties of a less strenuous nature, as an employee of the City of Dothan, shall be retired, which action shall be initiated by the head of his department, and shall receive the same retirement allowance as if he had served as an employee for twenty (20) years and become totally disabled as provided in Section 6 (4) hereof. Provided, however, that such retired member shall submit to medical examinations hereinafter required. In the event an employee retired under this section shall be found mentally and physically capable of performing duties of a less strenuous nature then such employee may, upon the concurrence of the Pension Board and the Governing Body, be employed in such capacity at the prevailing salary for such work as is provided by the City of Dothan Civil Service System. Upon the return to employment from retirement under this section, the period of retirement, together with all prior services shall be credited to such employee, in the ultimate attainment of full retire-

ment or such portion thereof as may be earned under the provisions of this Act. Any such employee who returns to work or continues his employment in work of a less strenuous nature at a reduced rate of pay may be ultimately retired on the basis of his highest five (5) years average salary, provided he shall, while employed at such reduced rate of pay, continue to pay to the System by payroll deduction five per cent (5 per cent) of the highest consecutive five (5) years average salary. The City's contribution to the Pension Fund shall be at the same rate of 5 per cent. (6) Re-examination of members retired on the account of disability. One each year during the first five (5) years following the retirement of a member on a disability allowance and once in every three (3) year period thereafter, the Pension Board may, and upon his application shall, require any member so retired who has not yet attained the age of sixty (60), to undergo a medical examination such examination to be made at the place of residence of such members, or other place mutually agreed upon by a physician or physicians of, or designated by the Medical Board. Should any member drawing disability retirement allowance who has not attained the age of sixty (60) refuse to submit to such medical examination, his allowance will be discontinued until such member submits to an examination, and should his refusal continue for one (1) year, all his right in and to his pension may be revoked by the Pension Board. Should the Medical Board report and certify to the Pension Board that a member retired on disability is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation and should the Pension Board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his highest average final compensation for the consecutive five (5) years of his or her employment with the City. Should his earning capacity be later changed, the amount of his pension may be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted, nor an amount which when added to the amount earnable by the beneficiary together with his annuity, exceeds the amount of his highest average final compensation for any previous consecutive five (5) years of his or her employment with the City. Section 7. Death or retired employee In the event any retired employee dies before having received as retirement allowances, a sum equal to his annuity payroll deductions, and the like amount deposited to his credit by the City in the Pension Accumulation Fund, the balance of this sum shall be paid to his properly designated beneficiary in a lump sum payment. Section 8. Exemptions. No portion of, or any of the funds or securities, either while held by the System or after distribution to employee-members as retirement allowances, shall be subject to, or exacted, on account of any taxes, nor be subject to garnishment, levy execution, attachment, nor be subject to assignment or any process of collection of debts, provided this shall not apply to assignments or debts to the System or to the City. No liability of the System for the return of contributions shall be subject to assignment and payment to personal representatives, except to properly designated beneficiaries in case of death, and no liability of the System for return of contributions shall be subject to any process in connection with debts. Section 9. Perpetuity of system and relief of members already retired. (1) At any time there is an insufficient amount in the Retirement Fund from the sources herein provided for to meet the retirement obligations of the system, the City shall appropriate a sufficient amount of its revenue available for general purposes to meet such Retirement Fund obligations as they are due each month. (2) For the purpose of additional relief and benefit to City employee-members already retired, effective upon the end of the first full calendar month

following the passage and approval of this Act, the monthly benefits of all such retired employees shall be computed upon the basis of said Act No. 103, H. 363, approved June 18, 1953, as amended by this Act. Act No. 424 H. 921, approved August 7, 1961, is hereby repealed. (3) In addition to the additional relief and benefit provided in the preceding paragraph, all such employee-members already retired and who retire hereafter shall receive an increase in their monthly benefits a cost of living increase amounting to one per cent (1 per cent) per year for each year of retirement and for each year in the future; such increase to be effective on the anniversary date of each employee's retirement. Section 10. Retired employees who return to work. Retired employees who return to full time work as a City employee will be ineligible to receive benefits from the retirement fund while engaged in such full time work. Each such employee shall however be required to participate in the retirement system as required of a new employee specified in Section 2 hereof, and shall retain the full period of creditable service previously earned for retirement. Upon his application for retirement again, the period of time he has last worked, if less than five years, shall be added to such highest consecutive average annual salary for a period to equal five years. If the amounts received, however, after returning to work after retirement, are less than before his first retirement, such employee upon retiring again shall be allowed to receive monthly retirement benefits based upon his highest average annual salary for any consecutive five years. Section 11. Excess retirement funds and payments. (1) All annuity payroll deductions and pension accumulation funds transferred to the Retirement Fund upon the retirement of any members shall be credited to such member's account and held in trust for no other purpose except for the payment of such member's retirement benefits or to such member's properly designated beneficiary upon termination by death. Payments to such member shall be charged against his account, so as to reflect the unpaid balance (2) After the amounts accumulated for such retired member's credit in (1) above have been paid back to such member as benefits, continued benefits shall be paid out of funds accruing to the Retirement Fund under the provisions of Section 4 and payment of such continued benefits shall be continually charged to such retired member's account so as to reflect the amount paid in excess of credits provided for in (1) above. Section 12. Voluntary Participation. All active employees of the City at the time this Act is approved who wish to continue as members of the Retirement System as herein provided shall signify their voluntary participation in writing to the Pension Board. The written document signifying such voluntary participation shall be certified to by the various department heads as being the signatures of the employees under his supervision and that he witnessed their signing such document, which shall be recorded in the records of the City Clerk's Office. Section 13. Conflicting Laws. All laws in conflict with this Act are hereby repealed to the extent of such conflict with this Act. Section 14. Effective Date. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: May 3, 10, 17, 24, 1971 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in

which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 1st day of June, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Mr. Grey (D):

H. 647. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; providing for the appointment of clerical assistants by the Tax Assessor, Tax Collector and Circuit Clerk.

Also:

By Mr. Grey (D):

H. 646. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; authorizing the probate judge to appoint a chief clerk and an assistant probate clerk, providing for their compensation, and fixing the amount of the official bond of the chief clerk.

Also:

By Mr. Grey (D):

H. 645. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; designating the funds from which the annual salary of the Sheriff shall be payable.

Also:

By Mr. Headley:

H. 662. Relating to counties having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Also:

By Mr. Headley:

H. 663. To authorize the Chilton County Commission to pay Eulene Littleton for the damages done to her car by a washed-out bridge in Chilton County on March 15, 1970.

Also:

By Mr. Merrill:

H. 467. To amend Section 20, Title 34, of the Code of Alabama 1940, which establishes the grounds for divorce in this state, so as to reduce the time limit for the grounds of voluntary abandonment from one year to six months.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 616, 269, 490, 647, 646, 645, 662 and 663. To the Committee on Local Legislation No. 1.

H. B. 467. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cauthen, Baker and Callahan:

H. 275. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

Also:

By Messrs. Cauthen, Baker and Callahan:

H. 276. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961, p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

Also:

By Messrs. Cauthen, Williams, Baker, Cross and Callahan:

H. 277. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

By Messrs. Cauthen, Williams, Cross and Callahan:

H. 278. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

Also:

By Messrs. Cauthen, Williams, Cross and Callahan:

H. 279. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population

or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Also:

By Messrs. Cauthen, Baker, Cross and Callahan:

H. 280. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

By Messrs. Cauthen, Williams, Baker and Callahan:

H. 281. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

By Mr. Cauthen:

H. 282. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

By Messrs. Cauthen and Baker:

H. 283. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

By Mr. Owens:

H. 6. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 275, 276, 278, 279, 280, 281 and 282. To the Committee on Municipal Government.

H. B.'s 277, 283 and 6. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 5. To regulate further the rates to be charged for publication of legal notices by amending further Code of Alabama 1940, Title 7, Section 718, as amended; and by amending further Act No. 793, S. 117, Regular Session 1953 (Acts 1953, p. 1086), as amended.

Also:

By Messrs. Downing, Dill, Roberts and Stokes:

H. 127. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

Also:

By Messrs. Downing, Dill and Roberts:

H. 128. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

Also:

By Messrs. Lang, Perloff, Hobbie, Carter, Grey (D), Manley, Owens, Naramore, Reid (R), Easters, Mims and Coshatt:

H. 59. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

Also:

By Messrs. Lyons, Barkett, Turnham, Turner, Jones (F), Ellis, Coshatt, Carnes, McBride, Boutwell, Drake, McDonald, Hearn, Hobbie, Wynot, Grey (D), Reid (R), Goodwin, Reynolds, Headley, McCluskey, Edwards, Gray (F), Reed (T), Adams, Merrill, Hardin, Crawford, Connell, Snell, Brassell, Therrell, Jackson, Owens, Straiton, Benton, Wise, Kinsey, May, Bassett, Stubbs, Perloff, Mims, Warren, Stokes, Wood, Roberts, Callahan, Mathews, Stewart, Cottingham, Waggoner, Fite, King, Grainger, Lutz, Williams, Cauthen, Parker (T), Smith (P), Carter, Cross, Chesnut, Baker, Crowe, Naramore, Parker (H), Gafford, Dill, Timmons, Wallace, Manley, Doss, Weeks, Gloor, Bank and Erdreich:

H. 124. To prescribe the hours of work and holidays for all State merit system employees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 5, 127, 128, 59 and 124. To the Committee on Judiciary.

(The above numbered Bill, H. B. 127, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ellis, Owens and Cauthen:

H. 83. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Also:

By Messrs. Ellis, Owens and Cauthen:

H. 82. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Also:

By Messrs. Ellis, Owens and Cauthen:

H. 85. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of sub-standard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Also:

By Messrs. Ellis, Owens and Cauthen:

H. 91. To prohibit the blocking of highways, impeding of vehicular traffic, or otherwise interfering with the free flow of traffic for the purpose of soliciting funds, money, contributions or donations for any purpose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 83, 82, 85 and 91. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Culver, Bowers, Bank, Wallace, O'Daniel, Adwell, Downing, Grainger, Gafford, Lutz, Jones (F), Cherner, King, Jones (E), Waggoner, Gloor, Straiton, Parker (T), Robertson, Taylor, Wood, Harris, Coshatt, Therrell, Erdreich, Perloff, McCluskey, Callahan, Collins, Kinsey, Brassell, Timmons, Roberts, Falkenburg, Cottingham, Weeks, Meeks, Hobbie, Burgess, Adams, Dill, McBride, Gray (F), Reed (T), Nettles, Stokes, Boles, Hale, Hardin, Bassett and Boutwell:

H. 406. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Also:

By Messrs. Hobbie, Harris, Jones (F) and Straiton:

H. 167. To make an additional appropriation to the Alabama Board of Nursing for the purchase of office supplies and equipment.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 406 and 167. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill and Pruitt:

H. 11. To repeal Section 27 of Title 34 of the Code of Alabama, 1940, which provides further for the alleging and proving of twelve months residence in divorce cases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 11. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Cherner:

H. 69. To authorize and make provisions for the organization and incorporation of Airport, Industrial Park, and Airport and Industrial Park Authorities as non-profit public corporations for the promotion of aviation and the development and promotion of industry and commerce in local areas of the State; to provide for the procedure, manner and conditions of organization and incorporation; to provide for the contents, execution and recording of certificates of incorporation; to provide that any such corporation shall be governed by a board of directors and to prescribe the number, terms, and manner of appointment of its members; to prescribe the powers of such Authorities, including the right to exercise the powers of eminent domain and certain zoning powers; to provide for the financing of such Authorities and to require certain local funding as a prerequisite to incorporation; to authorize the issuance of revenue bonds, to specify the provisions thereof, to pledge certain revenues for their retirement and to authorize the refunding of said bonds; to exempt such bonds from all taxation; to provide for cooperation with political subdivisions, public corporations and agencies of this State; to authorize political subdivisions to invest in bonds of the Authority and to make such bonds legal investments for fiduciaries, savings bonds and insurance companies; to authorize the Authority to accept and expend federal and state moneys or funds from public or private sources for the purposes of this act; to exempt such Authorities from certain restrictions with respect to construction and purchasing contracts and zoning regulations; to require such Authorities to be audited annually; and to provide for the dissolution of any such Authority and the disposition of its property.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 69. To the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F):

H. 172. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with amendment):

S. 118. Relating to county roads and rights-of-way and all improvements therein providing for regulation of digging up or use of such roads and rights-of-way or improvements therein for certain purposes by public utilities.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Littleton:

S. 210. To allow certain County Engineers, who have heretofore participated in the Employees Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

By Messrs. Wilson, Jones, Gilmore, Noonan, Shelby, Edington, Pierce, Carr, Dozier, Register, Bailes and Malone:

S. 339. Providing further for the construction, maintenance, and repair of the county public roads and bridges in this State; providing that this Act shall apply only in those counties in which the construction, maintenance and repair of such roads and bridges is not currently being done on the basis of the county as a unit; providing for the construction, maintenance and repair of county roads and bridges in such counties hereafter on the county unit basis; providing for the appointment of a county engineer for each of such counties; prescribing his qualifications, and providing for his compensation; and prescribing the powers and duties of the county engineer and the members of the county commission or like governing body of the counties in which this Act applies in regard to the construction, maintenance, and repair of the county public roads and bridges.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Adams, Brassell and Turnham:

H. 302. Relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000 according to the most recent federal decennial census; to provide further for the election of the commissioners in such cities.

By Mr. Givhan:

S. 366. Relating to all counties having populations of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

By Mr. Perloff et al (with notice and proof):

H. 438. Relating to Mobile County; authorizing the Board of Health of said county to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged.

By Mr. Hale et al (with notice and proof):

H. 445. To authorize the Madison County Commission to provide for the relief of Howard Childers.

BILL RECALLED AND RE-REFERRED

Mr. Gilmore moved that the Bill, H. B. 510, be recalled from the Standing Committee on Youth and Student Activities and re-referred to the Standing Committee on Local Legislation No. 2, which was adopted, and the President and Presiding Officer ordered said Bill recalled, and said Bill was then referred to the Standing Committee on Local Legislation No. 2.

RESOLUTIONS

Mr. Wilder offered the following Senate Resolution, to-wit:

S. R. 33. BE IT RESOLVED BY THE SENATE OF ALABAMA that when it adjourns today, it adjourns to meet again on Thursday, June 24, 1971, at 8:00 A. M.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 58. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Thursday, June 24, 1971, and when they adjourn on Thursday, June 24, 1971, they adjourn to meet again on Tuesday, June 29, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 58, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

APPOINTMENTS ANNOUNCED

The President and Presiding Officer of the Senate announced that he has appointed Messrs. Pierce and Foshee to the existing Senate vacancies on the Alabama Constitutional Commission.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

S. 22. To create, establish and provide for the operation of a legislative fiscal office as a division of the legislative branch of the state government to provide budget review, fiscal analysis and other

types of financial information to the standing committees of the legislature and to the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; and to provide that such office shall be under the general supervision and direction of a joint fiscal committee, but shall be a separate organization from the legislative reference service and completely independent thereof.

as amended by the substitute by Mr. Dominick, which said substitute is set out at length in the Journal of the Senate for the Ninth Legislative Day.

Mr. Wilson offered the following substitute for the Bill, S. B. 22, as amended, to-wit:

SUBSTITUTE FOR SENATE BILL 22

A BILL TO BE ENTITLED AN ACT

To create, establish and provide for the operation of a legislative fiscal office to provide budget review, fiscal analysis and other types of financial information to the standing committees and the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; to create, establish and provide for the operation of a fiscal commission to supervise the operation of the legislative fiscal office; and to provide that such office shall be separate from and independent of the Legislative Reference Service.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a legislative fiscal office, which shall be a division of the legislative branch of government under the supervision, direction and control of an officer designated as the director of the Legislative Fiscal Office. The director shall be appointed by the fiscal commission hereinafter provided for at a salary not to exceed \$22,500.00 per annum, and may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to affect the purposes of this act. Such office shall be separate from and independent of the legislative reference service.

Section 2. The legislative fiscal office is established for the purpose of assisting the finance and taxation committee of the Senate, the ways and means committee of the house of representatives, other standing committees of the legislature, and the individual members of the legislature by providing budget review, fiscal analysis, and other types of financial information. More specifically the legislative fiscal office is charged with the following duties:

- (1) Analysis and review of agency operating budget requests;
- (2) Answering requests from individual legislators for fiscal information;
- (3) Evaluating legislative proposals for fiscal effect (i.e. preparing fiscal notes).
- (4) Analysis of agency capital budget requests, with the intention of helping to establish priorities;
- (5) Studying, in depth, selected executive programs during the interim between sessions of the legislature;

(6) Reviewing, on a continuous basis, agency budgets and programs;

(7) Checking executive revenue estimates for accuracy and possible revision;

(8) Reviewing federal aid programs to insure that Alabama is taking full advantage of its opportunities for federal assistance;

(9) Reviewing Alabama programs in which federal funds are involved and answering questions regarding efficiency, overlap, duplication or waste and whether the programs should be renewed or extended when federal funding runs out.

(10) Preparing research memoranda on both the short and long range costs of executive programs;

(11) Pointing out new sources of revenues;

(12) Assisting committees in developing means to periodically review executive programs for efficiency and effectiveness;

(13) Briefing committee members in advance of public hearings on the most important aspects of an agency's program, and assisting the committee in scheduling and preparing the agenda for the hearing;

(14) Performing such other duties as may be assigned by law or by the joint fiscal committee.

Section 3. There is hereby created a continuing legislative committee to be known as the fiscal commission whose duty it shall be to supervise the operation of the legislative fiscal office. The commission shall consist of the speaker of the house, the chairman of the house ways and means committee, three members elected from the House of which none shall be members of the Ways and Means Committee, the Chairman of the Senate Finance and Taxation Committee, three members elected from the Senate of which none shall be members of the Finance and Taxation Committee, and whose terms shall be for such quadrennium. The commission shall elect its own chairman and shall meet at the call of the chairman or any four members thereof, provided that the commission shall meet at least once each three months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work.

Section 4. The expenses of the legislative fiscal office shall be paid from funds appropriated to the use of the legislature, provided the total amount so expended shall not exceed the sum of \$30,000 for the fiscal year ending September 30, 1971, nor the sum of \$75,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Dominick, said substitute for the Bill, S. B. 22, as amended, was laid on the table.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	King	Shelby	
Carr	Fine	Lybrand	Vacca	
Cook	Foshee	O'Bannon	Weaver	
Dominick	Gilmore			—17

Nays:

Messrs.:	Harris	McLain	Pelham	
Branyon	Horne	Malone	Register	
Clark	Lindsey	Noonan	Wilder	
Cooper	Littleton	Owen	Wilson	
Givhan				—16

Mr. Dominick offered the following amendment to the Bill, S. B. 22, as amended, to-wit:

AMENDMENT TO S. B. 22, AS AMENDED

Amend Section 2 by adding the following sentence after the first sentence therein:

"Each Department and agency of the state of Alabama government is further required to make its internal records available to the Legislative Fiscal Office."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	King			—33

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 22, as amended, to-wit:

AMENDMENT TO S. B. 22, AS AMENDED

Amend S. B. 22 as amended by striking Section 3 in its entirety and substituting in lieu thereof the following:

Section 3. There is hereby created a continuing legislative committee to be known as the fiscal commission whose duty it shall be to supervise the operation of the legislative fiscal office. The commission shall consist of the chairman of the House Ways and Means Committee, four members elected from the House of which none shall be members of the Ways and Means Committee, the chairman of the Senate Finance and Taxation Committee, four members elected from the Senate of which none shall be members of the Finance and Taxation Committee, and whose terms shall be for such quadrennium. The

commission shall elect its own chairman and shall meet at the call of the chairman or any four members thereof, provided that the commission shall meet at least once each three months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon
Balles	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Vacca
Dominick	Harris	Malone	Wilder
Dozier	Hawkins	Noonan	Wilson

—31

Nays:

0

And said Bill, S. B. 22, as thus amended, was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Balles	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Edington	King		

—33

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Headley, Coshatt, Adams, Brassell and Wood:

H. 211. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 211. To the Committee on Judiciary.

UNFINISHED BUSINESS

RESOLUTIONS

The Senate proceeded to consideration of the second item of Unfinished Business for today, which was the Resolution:

By Mr. McLain:

S. J. R. 8. Ratifying proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

The question was on the amendment offered by Mr. Cooper, which said amendment is set out at length in the Journal of the Senate for the Eighth Legislative Day.

On motion of Mr. McLain, said amendment was laid on the table.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Bailes	Foshee	McLain	Register
Carr	Gilmore	Malone	Shelby
Clark	Hammond	Noonan	Vacca
Cook	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	King	Pelham	Wilson
Edington	Littleton		

—29

Nays: Messrs. Branyon and Givhan

—2

Mr. Cooper then offered the following amendment to the Resolution, S. J. R. 8, to-wit:

AMENDMENT TO S. J. R. 8

Amend Paragraph 2 by striking the period at the end of the sentence and adding the following:

“, the Secretaries of the forty-nine other State Senates of these United States, and the forty-nine other Clerks of the Houses of Representatives of these United States.”

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 35. Memorializing Audie Murphy.

Also:

H. J. R. 40. Commending Boy Scouts of America and their voluntary Leaders.

Also:

H. J. R. 41. MOURNING THE DEATH OF MR. DOUGLAS CARROLL MARTINSON.

Also:

H. J. R. 46. Proclaiming June 14th as Flag Day.

Also:

H. J. R. 50. Praising U. S. Congressman Tom Bevill.

Also:

H. J. R. 52. COMMENDING PROFESSOR SIDNEY W. JOHNSON OF AUBURN UNIVERSITY, ON THE OCCASION OF HIS RETIREMENT.

Also:

H. J. R. 53. Commending scouting on its Keep America Beautiful Day and National Anti-Litter Day.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 22. To create, establish and provide for the operation of a legislative fiscal office to provide budget review, fiscal analysis and other types of financial information to the standing committees and the individual members of the legislature; to provide for a director of such office, prescribe his compensation and the manner of his selection; to create, establish and provide for the operation of a fiscal commission to supervise the operation of the legislative fiscal office; and to provide that such office shall be separate from and independent of the Legislative Reference Service.

JAMES S. CLARK,
Chairman.

FURTHER CONSIDERATION OF S. J. R. 8

The Senate proceeded to further consideration of the Resolution, S. J. R. 8. The question was on the amendment offered by Mr. Cooper.

On motion of Mr. Wilder, further consideration of the Resolution, S. J. R. 8, and pending amendment, was postponed until the next Legislative Day as Unfinished Business.

BILLS ON THIRD READING RESUMED

The Bill:

S. 280. To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

was taken up.

Mr. Wilson offered the following substitute for the Bill, S. B. 280, to-wit:

SUBSTITUTE FOR SENATE BILL 280

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 103, H. 372, Regular Session 1963, as amended, an act fixing the compensation of the county superintendent of education of Walker County (Acts 1963, v. 1, p. 486) is hereby further amended to read as follows:

"Section 1. The superintendent of education of Walker County shall be entitled to receive for the performance of his duties an annual salary and such other allowances as may be set by the county board of education, which salary and allowances shall be paid in equal monthly installments out of the public school funds of the county. This amount shall not be less than \$14,500 nor more than \$18,600. This shall be set by the County board."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lybrand	Shelby
Clark	Gilmore	McLain	Vacca
Cook	Givhan	Malone	Weaver
Dominick	Hammond	Noonan	Wilder
Dozier	Hawkins	O'Bannon	Wilson
Edington	Horne		

—25

Nays:

—0

And said Bill, S. B. 280, as thus amended by the substitute, was read a third time at length and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 33. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Branyon	Foshee	Lybrand	Pelham	
Carr	Hammond	McLain	Register	
Cook	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 34. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 35. Relating to judicial procedure in the Twenty-Seventh judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

S. 36. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 37. Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Givhan	Noonan	Vacca	
Cooper	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 44. To amend Act No. 283, H. 561, approved August 23, 1955, as last amended by Act No. 189, approved August 8, 1967, which authorizes and provides for the establishment of a fund designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

S. 132. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 150. Relating to Etowah County; to provide for the reorganization of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	Malone	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 151. To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

S. 152. To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	Malone	Vacca	
Cook	Givhan	O'Bannon	Weaver	
Cooper	Hammond	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

S. 153. To alter or rearrange the boundary lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Shelby	
Branyon	Givhan	Malone	Vacca	
Clark	Hammond	O'Bannon	Weaver	
Cook	Harris	Owen	Wilder	
Cooper	King	Pelham	Wilson	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

S. 167. Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Clark	Hammond	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 205. Relating to counties having populations of not less than 23,900 and not more than 24,450; to require a deposit on court costs in civil cases in intermediate courts in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Cook	Hammond	Noonan	Shelby	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 215. To regulate further the excusing of persons from jury service in the Thirteenth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Branyon	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 245. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 254. Relating to counties having populations of not less than 22,250 nor more than 23,000, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Vacca	
Clark	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 261. To amend Section 35 of Act No. 30, S. 5 Approved May 31, 1963.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Cook	Hammond	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Weaver	
Edington	Horne			—25

Nays:

—0

The Bill:

S. 263. Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safe-keeping of such final records.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Givhan	O'Bannon	Vacca	
Cooper	Harris	Owen	Weaver	
Dozier	Horne	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 264. To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Shelby	
Carr	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 265. To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Givhan
Bailes	Cooper	Fine	Hammond
Carr	Dominick	Foshee	Hawkins

Horne	Lybrand	Pelham	Weaver	
King	McLain	Register	Wilder	
Lindsey	Noonan	Vacca	Wilson	
Littleton	Owen			—25
Nays:				—0

The Bill:

S. 287. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Foshee	Lindsey	Register	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25
Nays:				—0

The Bill:

S. 288. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Fine	King			—25
Nays:				—0

The Bill:

S. 291. Relating to Greene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures and other property within such buildings; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Clark	Gilmore	Littleton	Register
Cook	Givhan	Malone	Shelby
Cooper	Hammond	Noonan	Wilder
Dozier	Harris	O'Bannon	Wilson
Edington	Horne		

—25

Nays:

—0

The Bill:

S. 308. To further amend Section 257, Title 13, Code of Alabama 1940, as amended, which fixes the compensation of the deputy district attorney of certain counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Lybrand	Register
Branyon	Gilmore	Malone	Shelby
Clark	Hammond	Noonan	Vacca
Cooper	Harris	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 310. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	Malone	Vacca
Cooper	Harris	Noonan	Weaver
Dozier	Hawkins	O'Bannon	Wilson
Edington	Horne		

—25

Nays:

—0

The Bill:

S. 316. To authorize the Madison County Commission to provide for the relief of Howard Childers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

S. 326. Relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal census; to fix compensation and traveling expenses of the Superintendent of Education; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Register	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 334. To provide that the laws governing the countywide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Noonan	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

S. 337. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dominick	Horne	Pierce	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 359. Relating to counties having a population of not less than 34,875 nor more than 36,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Foshee	Lindsey	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

S. 293. To amend Act No. 765 of the Regular Session of the Legislature of Alabama of 1969, approved September 12, 1969 (Ala. Acts, 1969, p. 1358 et seq.), which Act provided in every County having a population of 500,000 or more, according to the last or any subsequent federal census, for the creation of a Public Bureau for the purpose of attracting conventions and visitors to the County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Edington	Givhan
Bailes	Cook	Fine	Harris
Branyon	Dominick	Gilmore	Hawkins

Horne	Malone	Pelham	Weaver	
King	Noonan	Pierce	Wilder	
Lindsey	O'Bannon	Vacca	Wilson	
Littleton	Owen			—25
<i>Nays:</i>				—0

The Bill:

S. 349. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Pierce	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

S. 361. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment of additional expense allowances of members of the county commissions or like governing body of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Clark	Gilmore	Noonan	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dozier	Horne	Pelham	Wilson	
Edington	Lindsey			—25
<i>Nays:</i>				—0

The Bill:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

was taken up.

The Standing Committee on Local Legislation No. 2, reported the following amendment to the Bill, S. B. 362, to-wit:

COMMITTEE AMENDMENT TO S. B. 362

Amend Senate Bill 362 as follows:

Delete the word "Commission" in the sixth line from the bottom of page 1 and substitute in lieu thereof the words "probate judge".

Delete the word "Commission" on the fourth line from the bottom of page 1 and substitute in lieu thereof the words "probate judge".

Delete the word "Commission" in the fourth line from the bottom of page 1 and substitute in lieu thereof the words "probate judge".

Delete the word "Commission" in the fifth line from the top of page 2 and substitute in lieu thereof the words "probate judge".

Delete the words "probate judge" in the seventh line from the top of page 2 and substitute in lieu thereof the word "Commission".

Delete the word "Commission" in the eighth line from the top of page 2 and substitute in lieu thereof the words "probate judge".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

And said Bill, S. B. 362, as thus amended, was read a third time and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Dominick	King	Pelham	Wilder	
Dozier	Lindsey			—25

Nays: —0

REPORTS OF COMMITTEES RESUMED

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gloor, Falkenburg, McBride, Dill, Jones (E), Boutwell, Waggoner, Boles, Cherner, Wallace, Doss, Weeks, Parker (H), Erdreich, Meeks, Bowers, Ellis, Timmons, Gafford and Adwell:

H. 510. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

By Messrs. Cook and Bailes:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

By Messrs. Cook and Bailes:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

ADJOURNMENT

At 7:10 P. M., on motion of Mr. Wilder, pending further consideration of S. J. R. 8 and S. B. 130, the Senate adjourned until Thursday, June 24, 1971, at 9:30 A. M.

ELEVENTH LEGISLATIVE DAY

THURSDAY, JUNE 24, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Michael McGuinness, Pastor, St. Peters Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier			

—32

JOURNAL

On motion of Mr. Lybrand, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Lybrand, leaves of absence were granted Messrs. Pelham, Jones and Pierce for today.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate

Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 28. Petitioning an investigation of air travel in Alabama.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 393. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

Committee on County Government.

By Mr. King:

S. 394. To amend Section 2 of Act No. 63 adopted at the Extraordinary Session of the Legislature of Alabama of 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks that have been outstanding for more than fifteen years from their date of issuance and to amend Section 11 of the said Act to provide for the inclusion of certain items in the initial report required to be filed in the said Section 11.

Committee on Banking.

By Mr. King:

S. 395. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

Committee on Health.

By Messrs King and Fine:

S. 396. To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for the collection of the "fair trial tax" upon criminal and quasi criminal cases: Amending the title, and Sec-

tions 1, 2, 3, 4 and 6, so as to make the tax applicable to suits at law and in equity, prescribe certain duties for registers of equity Courts relative to the tax, to regulate further cases which are excepted from the operation of the act; to authorize and regulate payment to those counties which maintain public defenders offices of a part of the expense thereof out of the process of the fair trial tax, and to provide that the unexpended balance in the fair trial tax fund shall not be paid into the state general fund but shall be retained in the fair trial tax fund and thereafter used for fees of appointed counsel and aid to the counties in maintaining public defender's offices.

Committee on Judiciary.

By Messrs. King and Fine:

S. 397. To amend Act No. 526, S. 352 of the 1963 Regular Session (Acts of 1963, Volume 2, p. 1136), which provides for and regulates the appointment of counsel for indigent defendants at the expense of the state in certain cases, so as to provide for counsel in certain additional cases, to regulate further the fees and compensation of counsel appointed hereunder and to provide further for annual appropriations to carry out the purposes of the Act.

Committee on Judiciary.

By Messrs. Wilder and Lindsey:

S. 398. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Committee on Military.

By Mr. Cooper:

S. 399. To repeal Act No. 237, S. 459, approved August 16, 1967, Regular Session 1967 (Acts 1967, p. 613), entitled, "An Act to apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars."

Committee on Local Legislation No. 1.

By Mr. Register:

S. 400. To establish the Alabama higher education assistance commission; to permit the commission to guarantee higher education loans to Alabama students; and to make a conditional appropriation to the commission.

Committee on Finance and Taxation.

By Messrs. Fine, King, Malone, Littleton, Owen, Hammond, Foshee, Cooper, O'Bannon, McLain, Lindsey, Horne, Hawkins, Clark, Cook, Noonan, Wilder, Gilmore, Bailes and Harris:

S. 401. To provide that Act No. 217 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, which relates to competitive bidding on contracts of certain public bodies, shall not be applicable to any contracts made by a municipality pursuant to the

provisions of Act No. 4 adopted at the 1956 Second Special Session of the Legislature of Alabama, as amended, which relates to the promotion of trade by inducing commercial enterprises to locate in the state and which confers on municipalities having a population not exceeding 100,000 inhabitants, according to the last or any subsequent federal census, powers with respect to the acquisition, leasing and financing of projects suitable for use by certain commercial enterprises.

Committee on Judiciary.

By Mr. Cook:

S. 402. To amend Code of Alabama 1940, Title 29, Section 73, in relation to unlawful sites for liquor stores; to exempt from the operation thereof cities having a population of not less than 20,000, nor more than 22,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 2.

By Mr. Shelby:

S. 403. To provide supernumerary circuit court bailiffs for the Sixth Judicial Circuit of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries:

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 404. To provide additional compensation for the official Court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 405. To provide for the formation of close corporations, and to provide for the powers, obligations and duties of stockholders and directors thereof; to provide for limitations on the continued existence of close corporations, and for the voluntary and involuntary termination of the existence of close corporations as such. To provide for management of the business of close corporations by the stockholders thereof; to provide for the appointment of a provisional director of close corporations, and for the appointment of one or more custodians of the property of close corporations. To provide for the conduct of the business of close corporations as a partnership; and to provide for the dissolution of close corporations by the stockholders thereof, under certain circumstances.

Committee on Judiciary.

By Mr. Shelby:

S. 406. To provide for the licensing of social workers and social work associates in this state; to create a Board of Social Work Examiners and to prescribe their powers, functions and duties; to establish a schedule of fees for the licenses provided for herein; prescribing penalties for violation of the provisions of this Act.

Committee on Health.

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale et al:

H. 211. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with amendment):

S. 192. Proposing an amendment to the Constitution relating to the manner of amending the Constitution.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 193. Proposing an amendment to the Constitution relating to suffrage and elections.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with amendment):

S. 194. Proposing an amendment to the Constitution relating to procedure for enacting local laws.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 195. Proposing an amendment to the Constitution relating to county debt limitation.

The above Bill was read a second time at length as required by the Constitution.

By Mr. O'Bannon:

S. 196. Proposing an amendment to the Constitution relating to the Legislative Department.

The above Bill was read a second time at length as required by the Constitution.

By Mr. O'Bannon:

S. 197. Proposing an amendment to the Constitution relating to method of changing the basis of compensating County officials.

The above Bill was read a second time at length as required by the Constitution.

By Mr. O'Bannon:

S. 198. Proposing an amendment to the Constitution relating to taxation and debt limitation.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with amendment):

S. 199. Proposing an amendment to the Constitution relating to general obligation indebtedness of counties and municipalities for industrial development.

The above Bill was read a second time at length as required by the Constitution.

By Mr. O'Bannon (with amendment):

S. 200. Proposed amendment of the Constitution eliminating election requirements for small bond issues of counties and municipalities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 201. Proposing an amendment to the Constitution relating to local government.

The above Bill was read a second time at length as required by the Constitution.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shelby, Horne, Vacca, Weaver, Hammond, Littleton, Cook, Hawkins, Fine and Wilson (with substitute):

S. 207. To amend Act No. 229, enacted by the Regular Session, 1967, of the Legislature of Alabama: and being an Act relating to firemen; stating public policy as to firefighters, municipalities, and the rights of each, and the settlement of employment problems and disputes; establishing a method of arbitration between firefighters and municipalities in the State of Alabama; prohibiting paid firemen from striking, engaging in work stoppage or slowdowns; defining terms; providing for mandatory and binding collective bargaining; providing for recognition of bargaining agent; making it mandatory for municipality to bargain in good faith; providing that unresolved issues be submitted to binding arbitration; providing for arbitration board; providing for hearings; prescribing factors to be considered by arbitration board; providing for fees and expenses of arbitration; providing for collective bargaining agreement; providing for request for collective bargaining; making it unlawful for collective bargaining representative or member of paid fire department to strike, engage in work stoppage or slowdown; making it unlawful for city authorities to fail to bargain in good faith or to abide by binding decision of arbitration board; prescribing penalties; providing for composition and method of operation of arbitration board and granting subpoena powers to board of arbitrators; providing method of reviewing by certiorari the proceedings, manner and method that arbitration hearing was conducted for purpose only of determining that the requirements of this Act were fulfilled and followed; and making provisions of act severable.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

S. 375. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

By Mr. Stubbs et al:

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214 to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

By Mr. Stubbs et al:

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

S. 124. Relating to private passenger automobiles; defining "private passenger automobile," creating a manufacturer's warranty as to standards of safety concerning the ability to sustain shock; providing, in lieu of the warranty, certification by the manufacturer of compliance with the energy absorption standards provided; providing an effective date.

By Mr. Harris:

S. 184. To require professional liability insurance carriers to make annual reports of certain information to the Insurance Commissioner.

By Mr. Lybrand:

S. 278. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

By Mr. Harris:

S. 373. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions;

to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Givhan and Branyon:

S. 301. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation of, certain farm products after the hour of sunset and before the hour of sunrise.

By Messrs. Givhan and Branyon:

S. 302. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

By Mr. Mims:

H. 2. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

By Mr. Smith (P) et al:

H. 184. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Smith (P) and Turnham:

H. 285. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Smith (P) and Turnham:

H. 286. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program: to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

S. 386. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 45,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensa-

tion of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

By Mr. Lybrand:

S. 387. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

By Mr. Givhan:

S. 378. To provide that the Sheriff of counties having a population of not less than 54,500 nor more than 56,000 according to the 1970 Federal Census, may collect and retain the fees and allowances allowed under law for feeding prisoners.

By Messrs. Connell and Crawford (with notice and proof):

H. 490. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Nettles, Owens, Therrell, Taylor, Cottingham, Turner, Casey, McCluskey, Timmons, Dill, Meeks, Baker, Robertson, Gafford, O'Daniel, Brassell, Kinsey, Benton, May, Reid (R) and Wise:

H. 437. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Also:

By Messrs. Hobbie, Taylor, Harris, Jones (F) and Straiton:

H. 508. To further amend Act No. 638, S. 137, Regular Session of the Legislature of 1953 (Acts of 1953, p. 895), as amended by Act No. 248, H. 41, approved May 5, 1965 (Acts of Alabama of 1965, Spec. Session, p. 363) providing that the Alabama Agricultural and Industrial Exhibit Commission shall provide and pay for agricultural premiums at the annual fair held by the South Alabama State Fair Association; to provide the amount to be paid for such premiums by amending Section 11 of said Act, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 437. To the Committee on Judiciary.

H. B. 508. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 417. To amend Act No. 1170, S. 674, 1969 Regular Session (Acts 1969, p. 2179), which regulates further the office of sheriff in the state and prescribes the annual salaries of sheriffs of the several counties classified on a population basis, so as to delete the special provisions therein excepting the salary of sheriffs in those counties having populations of not less than 61,000 nor more than 62,000 from the general provision relative to counties having such populations, and making special provision for the salaries of sheriffs of such counties; and to provide that this amendment shall be retroactive and become effective on January 18, 1971.

Also:

By Messrs. Jackson and Wise:

H. 677. Relating to Covington County, Alabama, to provide that any regular Circuit Judge of the Circuit Court of Covington County, Alabama or any other Circuit Judge with like authority serving said county may appoint two additional bailiffs to serve the Circuit Court of Covington County, during any session thereof; to prescribe the pay for the service of said bailiffs and to provide for the effective date hereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County, Alabama, to provide that any regular Circuit Judge of the Circuit Court of Covington County, Alabama or any other Circuit Judge with like authority serving said county may appoint two additional bailiffs to serve the Circuit Court of Covington County, during any session thereof; to prescribe the pay for the service of said bailiffs and to provide for the effective date hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The regular Circuit Judge of the Circuit Court of Covington County, Alabama, or any other Circuit Judge with like authority serving the Circuit Court of Covington County, Alabama is hereby authorized to employ bailiffs not to exceed two in number in addition to any other bailiff or bailiffs authorized by the Laws of the State of Alabama to serve any session of said court when convened in Covington County, Alabama; and such bailiff shall perform such duties as the court shall direct.

Section 2. The maximum pay for each of the bailiffs whose appointment is authorized in the preceeding section shall be fixed by the Judge appointing such bailiff or bailiffs and the County Governing Body of Covington County, Alabama, and shall not exceed the sum of \$25.00 per day. The pay for said bailiff or bailiffs shall be payable from the general fund of Covington County, Alabama upon the certificate of the prescribing Judge.

Section 3. All laws in conflict with the provisions of this act, general or local, are hereby repealed.

Section 4. The provisions of this act are severable, if any part of this act shall be declared unconstitutional. The remainder of said act shall be valid and binding.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News, who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 678. Relating to Covington County, Alabama and the method of giving notice of the requirement of attendance of Jury service in Covington County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County, Alabama and the method of giving notice of the requirement of attendance of Jury service in Covington County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Notices of the requirement of the attendance of jury service may be served by first class mail, or may be served as provided by Section 33, of Title 30, Code of Alabama, 1940 as recompiled 1958 and as last amended. Should in the discretion of the Sheriff, the service be made by first class mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside of Covington County, Alabama. In the event said jury summons is returned to the Sheriff by the Post Office Department of the United States without delivery the summons shall be by the Sheriff returned NOT FOUND. All jury summons not returned by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this Section in reference to service by mail, however shall not apply to jury summons returnable before the Court instantan, but such summons shall be served only as provided by Section 33 of Title 30, Code of Alabama of 1940 as recompiled 1958 and as last amended.

Section 2. All laws in conflict with the provisions of this act, general or local, are hereby repealed.

Section 3. The provisions of this act are severable, if any part of this act shall be declared unconstitutional. The remainder of said act shall be valid and binding.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News, who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 679. Relating to Covington County, Alabama; to regulate further the excusing of persons from jury service in the Circuit Court of Covington County, Alabama; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County, Alabama; to regulate further the excusing of persons from jury service in the Circuit Court of Covington County, Alabama; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Judge in the Circuit Court of Covington County, Alabama, who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court. No juror who is excused pursuant to the provisions of this Section shall be entitled to his mileage fee and per diem fee for the day on which he originally appears and is excused; and for his service during

the subsequent week in which he is required to serve he shall receive the same fees and mileage as if he was originally summoned to serve during that week.

Section 2. All laws in conflict with the provisions of this Act, general or local, are hereby repealed.

Section 3. The provisions of this Act are severable, if any part of this Act shall be declared unconstitutional. The remainder of said Act shall be valid and binding.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News, who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 680. Relating to Covington County, Alabama; to abolish the fine and forfeiture fund of Covington County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County, Alabama; to abolish the fine and forfeiture fund of Covington County; to provide for the payment of all fines and forfeitures collected into the general fund of the county;

to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter, all fines and forfeitures paid in, or for the use and benefit of, Covington County in the manner prescribed by law shall be deposited into the general fund of said county, and the previously existing fine and forfeiture fund of the county is hereby abolished. Any balance remaining in said fine and forfeiture fund on the effective date of this act shall be transferred to the general fund of the county and all previously registered claims, or other proper claims, heretofore payable from the fine and forfeiture fund of the county shall thereupon become chargeable against and payable from the general fund of the county, subject to the conditions of this act.

Section 2. The claims of state witnesses, witnesses before the grand jury of the county, and of the officers of the court in criminal cases heretofore payable from the fine and forfeiture fund of Covington County shall, upon the passage and approval of this act, hereafter be paid from the general fund of said county.

Section 3. All persons holding claims against the fine and forfeiture fund of Covington County upon the effective date of this act shall present the same to the county treasurer or county depository, as the case may be, for registration within twelve months following the passage of such act, or the same will be barred, and all claims hereafter accruing against the general fund of the county which, but for the provisions of this act, would be payable from the previously existing fine and forfeiture fund of the county, shall be presented to the county treasurer or county depository, as the case may be, for registration within twelve months following the accrual of such claim, or the same will be barred.

Section 4. Any person who appears as a witness for the State in any criminal case, or in any proceeding before the grand jury of the County, and who procures a certificate of attendance signed by the clerk of the court or the foreman of the grand jury shall be entitled to have such certificate paid out of the general fund of the county immediately upon the presentation thereof in the same manner as jurors' certificates are paid, all amounts subsequently received by such county from any source in the form of witness fees for witnesses paid in this manner shall be credited to the general fund of the county.

Section 5. All laws or parts of laws, local, special or general, in conflict herewith are hereby repealed.

Section 6. The provisions of this Act are severable, if any part of this act shall be declared unconstitutional. The remainder of said Act shall be valid and binding.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dan-nelly, Editor of The Andalusia Star-News, who being duly sworn,

says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 681. Relating to Covington County, Alabama, relieving the Clerk of the Circuit Court, Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama from subscribing to and filing weekly newspaper published in said county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County, Alabama, relieving the Clerk of the Circuit Court, Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama from subscribing to and filing weekly news paper published in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court of Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama, after the effective date of this Act shall no longer be required to subscribe to or file any weekly news paper published in Covington County, Alabama as now provided for by Title 7, Section 724 of the Code of Alabama.

Section 2. All laws in conflict with the provisions of this Act, general or local, are hereby repealed.

Section 3. The provisions of this Act are severable, if any part of this Act shall be declared unconstitutional. The remainder of said act shall be valid and binding.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News, who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 682. Relating to Covington County, Alabama; to allow prospective jurors to be excused without the presence of the defendant in the Circuit Court of Covington County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County, Alabama; to allow prospective jurors to be excused without the presence of the defendant in the Circuit Court of Covington County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court of Covington County, Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News, who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 13, May 20, May 27, and June 3, 1971.

This the 3rd. day of June, 1971.

ED DANNELLY.

Sworn to and subscribed before me this 3rd. day of June, 1971.

LORA JONES,
Notary Public.

Also:

By Messrs. Cross and Carter:

H. 691. Relating to the thirty-sixth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Lawrence County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to the thirty-sixth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney of the thirty-sixth judicial circuit may appoint a stenographic secretary who shall serve at the pleasure of the district attorney and shall perform such duties as he may direct. The compensation of such secretary shall be fixed by the district attorney at the sum of three hundred dollars per month. Said compensation shall be paid in monthly installments out of the general fund of the treasury of Lawrence County at the end of each month.

Section 2. In addition to the compensation provided in Section 1, the district attorney may supplement such compensation or salary from the district attorney's funds.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 15, 1971.

ELIZABETH D. CASPERS,
Notary Public.

Also:

By Messrs. Cross and Carter:

H. 692. Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction in Lawrence County of violations of the rules of the road, or laws of this State relating to or regulating traffic or operation of motor vehicles upon the highways of this State, shall be paid into the general funds of such county, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 15, 1971.

ELIZABETH D. CASPERS,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 417, 677, 678, 679, 680, 681, 682, 691 and 692. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill, Wood and Flippo:

H. 330. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 330. To the Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Boles:

H. J. R. 61. Naming Building for Dr. LeRoy Brown.

WHEREAS the junior colleges in Alabama were made possible by the legislature in 1963,

WHEREAS Jefferson State Junior College opened its doors in September 1965,

WHEREAS Dr. LeRoy Brown served as the first president of the college, 1965 through March 1971,

WHEREAS the opening enrollment of the college in its first year was over 1100 students, and the enrollment at the beginning of the year 1970-71 was almost 4800 students,

BE IT RESOLVED by the legislature of Alabama, both Houses thereof concurring, that the Health and Physical Education Building at Jefferson State Junior College be named the LeRoy Brown Health and Physical Education Building.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 61, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Waggoner, Meeks, McBride, Boutwell, Weeks, Gloor, Adwell, Doss, Cherner, Erdreich, Parker (H), Gafford, Falkenburg, Ellis, Bowers, Boles, Jones (E), Wallace, Dill and Timmons:

H. J. R. 57. MOURNING THE DEATH OF JUDGE HUGH A. LOCKE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 57, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 31. Relative to the Legislative intent in connection with the proposed levy on soy bean producers.

JOHN W. PEMBERTON,
Clerk.

NOTICE IN WRITING

Mr. Foshee offered the following Notice in Writing to-wit:

"NOTICE IN WRITING"

"Notice is hereby given that on the next legislative day, a motion in writing will be introduced to amend Senate Rule 46 by striking therefrom '14. Transportation and Common Carriers. 9 members' and substituting in lieu thereof the following: '14. Commerce, Transportation and Common Carriers. 9 members.'"

Which was read and ordered spread upon the Journal.

RESOLUTION

Mr. Dozier offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 29, 1971; that when they adjourn on Tuesday, June 29, 1971, they adjourn to meet again on Wednesday, June 30, 1971; that when they adjourn on Wednesday, June 30, 1971, they adjourn to meet again on Wednesday July 7, 1971; and that when they adjourn on Wednesday, July 7, 1971, they adjourn to meet again on Thursday, July 8, 1971.

On motion of Mr. Dozier, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

RESOLUTIONS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Resolution:

S. J. R. 8. Ratifying proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

The question was on the amendment offered by Mr. Cooper, which said amendment is set out in the Journal of the Senate for the Tenth Legislative Day.

Mr. Cooper moved that further consideration of the Resolution, S. J. R. 8, and pending amendment, be postponed until 12 o'clock to-day. On motion of Mr. McLain, the motion to postpone was laid on the table.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Edington	Littleton	O'Bannon
Bailes	Fine	Lybrand	Shelby
Carr	Gilmore	McLain	Vacca
Clark	Hammond	Malone	Wilder
Cook	Hawkins	Noonan	Wilson
Dominick	King		

—21

Nays:

Messrs.:	Cooper	Givhan	Owen
Branyon	Foshee	Harris	

—6

The question then recurred on the amendment offered by Mr. Cooper to the Resolution, S. J. R. 8, and on motion of Mr. McLain, said amendment was laid on the table.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Dozier	Hawkins	Noonan
Bailes	Edington	King	O'Bannon
Carr	Fine	Littleton	Register
Clark	Foshee	Lybrand	Shelby
Cook	Gilmore	McLain	Vacca
Cooper	Givhan	Malone	Wilder
Dominick	Hammond		

—25

Nays:

Messrs.:			
Branyon	Harris	Lindsey	Owen

—4

And said Resolution, S. J. R. 8, was then adopted by the Senate.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Edington	Littleton	Register
Bailes	Fine	Lybrand	Shelby
Carr	Foshee	McLain	Vacca
Clark	Gilmore	Malone	Weaver
Cook	Hammond	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	King	Owen	

—26

Nays:

Messrs.:			
Branyon	Cooper	Givhan	Harris

—4

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the second item of Unfinished Business, which was the Bill:

S. 130. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

And said Bill, S. B. 130, having previously been read a third time at length as required by the Constitution, was passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Edington	Horne	Owen
Branyon	Fine	King	Register
Carr	Foshee	Lindsey	Shelby
Clark	Gilmore	Lybrand	Vacca
Cook	Givhan	Malone	Weaver
Cooper	Hammond	Noonan	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Hawkins		

—29

Nay: Mr. Bailes —1

The Bill:

S. 131. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Edington	Hawkins	Noonan
Branyon	Fine	Horne	O'Bannon
Carr	Foshee	King	Owen
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Lybrand	Vacca
Cooper	Hammond	McLain	Weaver
Dominick	Harris	Malone	Wilder
Dozier			

—28

Nay: Mr. Bailes

—1

The Bill:

S. 138. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

was taken up.

On motion of Mr. Cooper, further consideration of the Bill, S. B. 138, was postponed until the next Legislative Day as Unfinished Business.

The Bill:

S. 186. To amend Section 455, Title 37, Code of Alabama 1940, relating to the powers of municipal corporations to adopt and enforce ordinances.

was taken up.

Mr. Dozier offered the following amendment to the Bill, S. B. 186, to-wit:

AMENDMENT TO S. B. 186

Amend S. B. 186 by striking the words and figures two hundred dollars (\$200.00) and insert in lieu thereof the words and figures one hundred fifty dollars (\$150.00).

Mr. Lindsey moved that said amendment be laid on the table, which motion was lost.

Yeas 6; Nays 17.

Yeas:

Messrs.:	King	McLain	Vacca	
Harris	Lindsey	Owen		—6

Nays:

Messrs.:	Cook	Hawkins	Noonan	
Bailes	Cooper	Littleton	Register	
Branyon	Dominick	Lybrand	Shelby	
Carr	Dozier	Malone	Weaver	—17
Clark	Foshee			

And said amendment to the Bill, S. B. 186, was then adopted by the Senate.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Dominick	Harris	Malone	
Bailes	Dozier	Hawkins	Noonan	
Branyon	Fine	King	Register	
Carr	Foshee	Lindsey	Shelby	
Clark	Gilmore	Littleton	Weaver	
Cook	Givhan	Lybrand	Wilder	—24
Cooper				

Nays:	Messrs. McLain, Owen	—2
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And said Bill, S. B. 186, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Noonan	
Bailes	Dozier	King	Owen	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Harris	Malone	Wilder	—27

Nays:		—0
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The Bill:

S. 187. To amend Section 586, Title 37, Code of Alabama 1940, providing for the authority of a Municipal Recorder to fine, punish, imprison, and sentence to hard labor, so as to authorize fines not in excess of two hundred dollars (\$200.00), and to extend the time of payment to ninety days (90) upon confession of judgment.

was taken up.

Mr. Dozier offered the following amendment to the Bill, S. B. 187, to-wit:

AMENDMENT TO S. B. 187:

Amend S. B. 187 by striking the words and figures two dollars (\$2.00) and insert in lieu thereof the words and figures seven dollars and fifty cents (\$7.50) where they appear in the bill.

Which was adopted.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Edington	Hawkins	Owen
Bailes	Fine	King	Register
Branyon	Foshee	Littleton	Shelby
Carr	Gilmore	Lybrand	Vacca
Clark	Givhan	McLain	Weaver
Cooper	Hammond	Malone	Wilder
Dominick	Harris	Noonan	Wilson
Dozier			

—28

Nay: Mr. Lindsey

—1

And said Bill, S. B. 187, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Noonan
Bailes	Dozier	King	Owen
Branyon	Edington	Lindsey	Register
Carr	Fine	Littleton	Shelby
Clark	Foshee	Lybrand	Vacca
Cook	Gilmore	McLain	Weaver
Cooper	Harris	Malone	Wilder

—27

Nays:

—0

Mr. Cooper moved that the Senate reconsider the vote by which the Bill, S. B. 187, was passed, and further moved that his motion to reconsider be postponed until the next Legislative Day. On motion of Mr. Dozier, the motion to reconsider was laid on the table.

Yeas 16; Nays 10.

Yeas:

Messrs.:	Dominick	Foshee	King
Bailes	Dozier	Gilmore	Malone
Branyon	Edington	Hammond	Shelby
Carr	Fine	Horne	Wilder
Cook			

—16

Nays:

Messrs.:	Givhan	Lybrand	Register
Clark	Lindsey	McLain	Vacca
Cooper	Littleton	Noonan	

—10

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Fine, consideration of the Bill, S. B. 204, was postponed until the Fourteenth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 290. To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Hammond	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilson
Edgington	King		

—25

Nays:

—0

The Bill:

S. 366. Relating to all counties having populations of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Lindsey	Register
Branyon	Foshee	McLain	Vacca
Carr	Givhan	Malone	Weaver
Clark	Harris	Noonan	Wilder
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Weaver, further consideration of the Bills, S. B.'s 189, 190 and 191, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 445. To authorize the Madison County Commission to provide for the relief of Howard Childers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Register	
Branyon	Fine	King	Shelby	
Carr	Foshee	Lindsey	Vacca	
Cook	Givhan	Littleton	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 172. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cooper	Hawkins	Malone	Wilson	
Edington	Horne			—21

Nays:

—0

POINT OF PERSONAL PRIVILEGE

Mr. Horne stated that had he been present when the vote was taken on adoption of the Resolution, S. J. R. 8, he would have voted "Aye".

BILLS ON THIRD READING RESUMED

The Bill:

S. 149. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

was taken up.

Mr. Wilson offered the following amendment to the Bill, S. B. 149, to-wit:

AMENDMENT TO S. B. 149:

Amend Section 3, page 2, following "P. A." in line 4 by adding thereto the following: "Any dentist or dentists forming the association

shall be governed by the rules of the regulating board of their profession in adopting a name for the association."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Malone	
Bailes	Edington	Hawkins	Owen	
Branyon	Fine	Horne	Register	
Carr	Foshee	Lindsey	Shelby	
Clark	Gilmore	Lybrand	Wilder	
Cook	Givhan	McLain	Wilson	
Cooper	Hammond			—25

Nays: —0

And said Bill, S. B. 149, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone	
Bailes	Edington	Horne	Noonan	
Branyon	Fine	King	Owen	
Carr	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Wilder	
Cooper	Hammond	McLain	Wilson	
Dominick	Harris			—29

Nays: —0

Mr. Wilson requested and received unanimous consent to have the names of Messrs. McLain and Givhan added as co-sponsors of the Bill, S. B. 149, as amended.

The Bill:

S. 60. To amend Section 28 D, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a school at Camden (Wilcox County High School)" be changed to read "For the construction of a school or schools in Wilcox County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Hammond	Malone	
Bailes	Dozier	Hawkins	Noonan	
Branyon	Edington	Horne	Owen	
Carr	Fine	Lindsey	Register	
Clark	Foshee	Littleton	Vacca	
Cook	Givhan	Lybrand	Wilder	
				—23

Nays: —0

The Bill:

S. 75. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	King	Owen
Branyon	Fine	Lindsey	Register
Carr	Givhan	Littleton	Vacca
Clark	Hammond	Lybrand	Weaver
Cook	Harris	Noonan	Wilder
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 77. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Noonan
Bailes	Dozier	Hawkins	O'Bannon
Branyon	Edington	Horne	Owen
Carr	Fine	King	Register
Clark	Foshee	Lindsey	Shelby
Cook	Givhan	Littleton	Vacca
Cooper	Hammond	Lybrand	Wilder

—27

Nays:

—0

The Bill:

H. 207. To provide for the incorporation of the Alabama Pollution Control Finance Authority, as a public corporation and instrumentality of the State, to authorize the Authority to issue its bonds, to provide the source of payment of such bonds, to authorize the Authority to acquire water pollution control projects and lease such projects to counties, incorporated cities or towns, public boards, districts or other public bodies having jurisdiction over the disposal of sewage, industrial wastes or other wastes, to make grants to any such local public body to assist it in financing such projects, to provide

grants by the Authority from the sources herein provided to assist such local public bodies which have applied for aid or assistance under the Federal Water Pollution Control Act, as amended, to grant power and authority to each such local public body to provide funding for any grant to such local public body by the Authority, either by advances, or delivering its bonds, warrants, certificates of indebtedness or other obligations to the Authority for sale by it, or by obligating itself to provide funds to pay the bonds of the Authority issued to provide a grant to such local public body, or by levying and collecting and paying over to the Authority fees and charges for the use of its sewage or waste disposal system or facilities sufficient to pay such bonds, authorizing the Authority and each such local public body to perform such acts and enter such agreements as may be necessary or desirable to enable the Authority to provide a grant by or on behalf of the State of a portion of the cost of water pollution control projects for which aid or assistance is sought by the local public body under the Federal Water Pollution Control Act, as amended.

was taken up.

Mr. King offered the following substitute for the Bill, H. B. 207, to-wit:

SENATE SUBSTITUTE FOR H. B. 207

A BILL TO BE ENTITLED AN ACT

To provide for state grants to counties, incorporated cities and towns, public boards, districts or other public bodies, for water pollution control projects, the incorporation, organization, functions and powers of the Alabama Pollution Control Finance Authority, as a public corporation, agency and instrumentality of the State, to authorize the Authority to obligate the State to make grants to such local public bodies, to issue its bonds and exercise other corporate powers to aid such local public bodies in obtaining grants under the Federal Water Pollution Control Act; to appropriate the net proceeds of bonds and other funds to the Authority to be used for such grants; to authorize such counties, incorporated cities and towns, public boards, districts or other public bodies to provide for the funding of any grant to such local public body by the Authority by obligating itself to provide funds to pay the bonds issued or to be issued by the Authority to provide for such grants, either on the full faith and credit of such local public body or from a limited source or by levying and collecting and paying over to the Authority fees and charges for the use of its sewers or waste disposal system or facilities or to lease a project from or to the Authority, and otherwise to provide for State assistance to and cooperation with such local public bodies in financing water pollution control projects.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, whenever used in this Act, shall have the following respective meanings unless the context clearly indicates otherwise:

"Authority" means the public corporation organized pursuant to the provisions of this Act as a public corporation, agency and instrumentality of the State.

"Authorizing Resolution" means a resolution or order adopted by the Board of Directors authorizing the issuance of Bonds by the Au-

thority or providing for an indenture of trust under and pursuant to which its Bonds are to be issued.

"Board of Directors" means the Board of Directors of the Authority.

"Board" means the State Board of Health of the State of Alabama, or the State Committee of Public Health or the State Health Officer, whichever at the time has the authority to act in health matters pursuant to Title 22, Sections 1-3, 6, 7 and 9, Alabama Code of 1940, as now or hereafter amended.

"Bonds" means the bonds issued by the Authority under the provisions of this Act.

"Bond Service Charges" with respect to an issue of Bonds means an amount sufficient to pay the principal of and interest on such Bonds as such principal matures and such interest comes due, the fees and expenses of paying such principal and interest or of redeeming such Bonds and, if required by the Authorizing Resolution, payments into a principal and interest reserve fund for the better security of such Bonds.

"Federal Water Pollution Control Act" means the Act of Congress so designated (P. L. 84-660) approved July 9, 1956, as amended by P. L. 87-88 approved July 20, 1961, P. L. 89-234 approved October 2, 1965, P. L. 89-753 approved November 3, 1966, and P. L. 91-224 approved April 3, 1970 (33 U. S. C. Section 466, et seq., 33 U. S. C. Sections 1151, et seq.) and as such Act may be hereafter amended.

"Local Public Body" means and includes each county, incorporated city or town, public board, district or other public body created by or pursuant to State law and having jurisdiction over the disposal of sewage, industrial wastes, or other wastes. It includes also any combination of two or more of the foregoing having such jurisdiction.

"Project" means the water pollution control project of a Local Public Body to consist of one or more Treatment Works to prevent the discharge of untreated or inadequately treated sewage, industrial wastes or other wastes into any waters, for which a Federal grant has been applied for by such Local Public Body under Section 8 of the Federal Water Pollution Control Act.

"State Health Officer" means the executive officer of the State Board of Health as provided for in Title 22, Section 9, Alabama Code of 1940, as now or hereafter amended.

"State" means the State of Alabama.

"Treatment Works" means the various devices used in the treatment of sewage, industrial wastes or other wastes of a liquid or solid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions and alterations thereof.

Section 2. Legislative Intent. It is the intent of the Legislature by the passage of this Act to enable the State, acting by and through the Authority, to aid in the prevention and control of water pollution, to provide State financial aid or grants to Local Public Bodies for the prevention and control of water pollution, and to these ends to authorize the incorporation of a State Authority with power to issue Bonds and from the proceeds of such Bonds or other funds obtained by the Authority to enable the State to agree to pay and to pay such

portion of the estimated reasonable cost of the Projects of each Local Public Body as may be required in order that such Project shall be eligible for the maximum obtainable Federal grant under the Federal Water Pollution Control Act.

Section 3. Power of Incorporate. The Governor, the State Health Officer and the Director of Finance shall become a public corporation with the power and authority hereinafter provided, by proceeding according to the provisions of this Act.

Section 4. Provisions for Incorporation. The Governor, the State Health Officer, and the Director of Finance shall present to the Secretary of State of Alabama an application signed by them which shall set forth (1) the name, official designation, and official residence of each of the applicants; (2) the date on which each applicant was inducted into office and the term of office of each of the applicants; (3) the name of the proposed corporation, which shall be "Alabama Pollution Control Finance Authority"; (4) the location of the principal office of the proposed corporation; and (5) any other matters relating to the corporation which the applicants may choose to insert and which are not inconsistent with this Act or the laws of the State. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of the State to take acknowledgments to deeds. If upon examination of the application it is found that it substantially complies with the requirements of this Act, the Secretary of State shall receive and file the application and record it in an appropriate book of records.

Section 5. Consummation of Corporation. When the application has been made, filed and recorded as provided in the preceding section, the Secretary of State shall make and issue to the applicants a certificate of incorporation pursuant to this Act, under the Great Seal of the State, and shall record the certificate with the application, whereupon the applicants shall constitute a public corporation, agency and instrumentality of the State under the name proposed in the application. There shall be no fees paid to the Secretary of State for any work done in connection with the incorporation of the Authority.

Section 6. Members, Directors and Officers of the Authority. The Applicants named in the application and their respective successors in office shall constitute the members of the Authority. The Governor shall be president of the Authority, the State Health Officer shall be vice-president of the Authority, and the Director of Finance shall be the secretary of the Authority. The State Treasurer shall be the treasurer and custodian of the funds and securities of the Authority but shall not be a member of the Authority. The members of the Authority shall constitute all the members of the Board of Directors of the Authority, which shall be the governing body of the Authority. A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business. Should any person holding any State office named in this Section cease to hold such office by reason of death, resignation, expiration of his term of office, or for any other reason, then his successor in office shall take his place as a member, officer or director, as the case may be, of the Authority. No member, officer or director of the Authority shall draw any salary in addition to that now authorized by law for any service he may render or for any duty he may perform in connection with the Authority. All resolutions and orders adopted by the Board of Directors shall constitute actions of the Authority, and all proceedings of the Board of Directors shall be reduced to writing by the Secretary of the Authority and shall be recorded in a substantially bound book, which shall be kept in the office of the Secretary of State. Copies of such proceedings,

when certified by the Secretary of the Authority, under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 7. Powers of the Authority. The Authority shall have the following powers, among others specified in this Act: (1) to have succession in its corporate name until the principal of and interest on all Bonds issued by it shall have been fully paid; (2) to sue and be sued and to prosecute and defend, at law and in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and to use a corporate seal and to alter such seal at pleasure; (4) to establish a fiscal year; (5) to acquire in any manner and to hold title to or leasehold interests in real and personal property and to sell, convey or lease the same for the purpose of carrying out its functions and duties hereunder; (6) to construct and operate or lease to or from any Local Public Body any Project; (7) to agree to make and to make State grants to any Local Public Body to assist in financing any Project; (8) to execute agreements effectively obligating the State to pay to a Local Public Body such portion of the estimated reasonable cost of the Project of such Local Public Body as shall be required in order that such Project shall be eligible for the maximum obtainable Federal grant under the Federal Water Pollution Control Act; (9) To borrow money for any corporate purpose; (10) to issue its Bonds as hereinafter provided; (11) to invest the proceeds from the sale of its Bonds pending the use thereof; (12) to make and enter into contracts and agreements in furtherance of its functions and duties under this Act; and (13) to appoint and employ such attorneys, agents and employees as the business of the Authority may require.

Section 8. Authorization of Bonds. For the purpose of providing funds for the State to make grants to Local Public Bodies for a Project or Projects, or for the payment of obligations incurred or temporary loans made for any of said purposes, the Authority is hereby authorized, from time to time, to issue and sell its Bonds, not exceeding in the aggregate principal amount, however, \$25,000,000. Such Bonds may be issued in one or more series, shall be in such form and denominations and of such tenor and maturities, not exceeding 30 years from the date of issue of each series, shall bear such rate or rates of interest, payable and evidenced in such manner, may contain such provisions for registration or for redemption prior to maturity, and may contain such other provisions not inconsistent herewith, all as may be provided by the Authorizing Resolution. As security for the payment of the principal of and interest on its Bonds, the Authority is authorized to pledge, transfer and assign any obligations of each Local Public Body, payable to the Authority and the security for such obligation.

Section 9. Sale of Bonds. The Bonds of the Authority may be sold at such time or times as the Board of Directors may deem advantageous; but unless sold to a Local Public Body or to the United States of America or an agency of the United States of America, such Bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the Authority for the Bonds being sold, computed to their respective absolute maturities; provided, that if no bid acceptable to the Authority is received, it may reject all bids and readvertise; and provided, further, that if no bid shall be received, the Authority may negotiate for a private sale of the Bonds. Notice of any public sale shall be given by such publication or by such distribution of notices of sale or both, as the Board of Directors may determine. The Authority may pay from the proceeds of the sale of its Bonds all expenses, including publication and printing charges, attorney's fees, and other expenses which the Board of Directors may deem necessary or advantageous in connection

with the authorization, advertisement, sale, execution and issuance thereof.

Section 10. Temporary Financing. In anticipation of the issuance of Bonds, the Authority may borrow such sums as may be needed, not exceeding \$500,000 to be outstanding at any one time, for any of the aforesaid purposes and to obligate itself by certificate or promissory note, bearing interest at a rate or rates to be specified by the Authority, and maturing within eighteen months from date. Said certificates or promissory notes shall be payable solely from the proceeds of the Bonds of the Authority and from the funds from which such Bonds are payable. In the event that State funds are not available for a State grant for a Project when application is made, in order to accelerate the completion of any Project, the Local Public Body may, with the approval of the Authority, obligate such Local Public Body to provide local funds to pay that portion of the cost of the Project which the State will make available by grant, and the State shall refund the amount expended on its behalf by such Local Public Body.

Section 11. Refunding Bonds. The Authority may from time to time and at any time issue and sell its refunding Bonds for the purpose of refunding any matured or unmatured Bonds of the Authority at the time outstanding and any premiums necessary to be paid to redeem any Bonds so to be refunded. The holders of such refunding Bonds shall be subrogated and entitled to all priorities, rights, and pledges to which the Bonds refunded thereby were entitled.

Section 12. Execution of Bonds, Certificates and Notes. The Bonds, certificates and promissory notes of the Authority shall be signed by either its President or its Vice-President, as shall be provided in the Authorizing Resolution, and the seal of the Authority shall be affixed to any Bonds so issued and attested by its Secretary, provided, that a facsimile of the signature of one, but not both, of the officers whose signatures shall appear on the Bonds may be imprinted or otherwise reproduced on any of the Bonds in lieu of his manually signing the same; provided, further that a facsimile of the seal of the Authority may be imprinted or otherwise reproduced on any of the Bonds in lieu of being manually affixed thereto. Any interest coupons applicable to the Bonds shall be executed with a facsimile of the signature of the President or the Treasurer as shall be provided in the Authorizing Resolution. In the event that, after any of the Bonds or interest coupons thereunto appertaining shall be signed by any officer of the Authority, whether manually or by facsimile, any such officer shall for any reason vacate his said office, the Bonds and interest coupons so signed may nevertheless be delivered at any time thereafter as the act and deed of the Authority.

Section 13. State Grants Administered by the Authority. The State is hereby authorized to make grants to any Local Public Body to assist such Local Public Body in the construction of a Project. Such grants shall be administered by the Authority. The Authority acting by and through any authorized officer is hereby authorized to enter into an agreement obligating the State to pay such portion of the estimated reasonable cost of the Projects of each Local Public Body as may be required in order that such Project shall be eligible for the maximum obtainable Federal grant under the Federal Water Pollution Control Act.

Section 14. Appropriation of Funds. There are hereby appropriated to the Authority for the purpose of making grants to Local Public Bodies the net proceeds of all Bonds issued by the Authority and any funds provided or made available to the Authority to fund any grant made or to be made hereunder.

Section 15. Applications by Local Public Bodies for Grants. Any Local Public Body which is eligible for Federal aid, grant or assistance under the Federal Water Pollution Control Act for a portion of the cost of acquiring or constructing a Project may apply also to the Authority for a grant. The application shall describe the Project and state the total estimated cost of the Project, the amount anticipated to be paid by Federal aid or assistance under the Federal Water Pollution Control Act, the amount which the applicant will contribute to the Project, that request is made for a State grant for the remainder of the estimated cost of the Project, and the plan or program proposed for funding such grant. The application shall be accompanied by a certificate or letter from the Alabama Water Improvement Commission or other State agency having authority to submit a State water control plan pursuant to the Federal Water Pollution Control Act, stating that the Project proposed by the applicant is in conformity with the State water pollution control plan submitted pursuant to the Federal Water Pollution Control Act, and is entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs.

Section 16. Alternative Plans and Programs for Funding Grants by Authority. The plan or program for funding the grant by the Authority to a Local Public Body for a Project may be any one or more of the following, as shall be approved by the Authority:

(a) An appropriation by the State;

(b) A grant by a corporation, foundation, fund or agency, public or private, to the State for the purpose of abating water pollution or assisting Local Public Bodies with their Projects; provided that the State shall not receive any grant from a Local Public Body which has received or is to receive a grant for its Project from the State;

(c) The undertaking by the Local Public Body to levy, collect and pay over to the Authority and to continue to levy, collect and pay over to the Authority sums sufficient to pay Bond Service Charges with respect to the Bonds of the Authority issued to fund a grant for such Project, the proceeds of any one or more of the following:

(i) Any sewer or waste disposal service fee or charge;

(ii) Any privilege or license tax;

(iii) Any special assessment on the property drained, served or benefited by the Project.

The undertaking of the Local Public Body may be payable solely from and limited to, one or more of the sources specified in items (i), (ii) or (iii) above or it may be a general obligation of the Local Public Body additionally secured by a pledge of one or more of such sources.

(d) The levy and collection by the Local Public Body of fees and charges, in addition to all other fees and charges for the use of the sewer system, disposal facilities or Project of such Local Public Body equal to 125 per cent of the maximum principal and interest maturing or coming due in any one year on the Bonds to be issued by the Authority to fund a grant for such Project, and the payment of the proceeds of such fees and charges, less a charge of not exceeding 5 per cent to the Local Public Body or its agent for the expense of collecting such fees and charges, shall be paid as collected to the State Treasurer for the account of the Bonds issued by the Authority to fund the grant for such Project; provided that any moneys over and above those required for the payment of Bond Service Charges in respect

of the Bonds of the Authority issued to fund the grant for such Project, shall, on application of the Local Public Body, be refunded by the Authority to the Local Public Body as an additional grant.

Section 17. Power and Authority of Each Local Public Body. In order to provide for the funding of the grant by the Authority for a Project to the Local Public Body, such Local Public Body is hereby authorized and empowered, any existing statute to the contrary notwithstanding, to do and perform any one or more of the following:

(a) To obligate itself to pay to the Authority at periodic intervals a sum sufficient to provide Bond Service Charges with respect to the Bonds of the Authority issued to fund the grant for such Project;

(b) To levy, collect and pay over to the Authority and to obligate itself to continue to levy, collect and pay over to the Authority the proceeds of any one or more of the following:

(i) Any sewer or waste disposal service fee or charge;

(ii) Any privilege or license tax;

(iii) Any special assessment on the property drained, served or benefited by the Project;

(c) To undertake and obligate itself to pay its contractual obligation to the Authority solely from the proceeds from any one or more of the sources specified in items (i), (ii), or (iii) of subparagraph (b) above, or to impose upon itself a general obligation indebtedness to the Authority additionally secured by a pledge of any one or more of such sources;

(d) To levy and collect and to obligate itself to continue to levy and collect for the use of the sewer system or disposal facilities or the Project such fees and charges in addition to all other fees and charges, as shall equal one hundred twenty-five per cent of the maximum principal and interest maturing and coming due in any one year on the Bonds issued by the Authority to fund a grant for the Project and to pay over such fees and charges to the State Treasurer for the account of such Bonds;

(e) To retain as its expenses for collecting such fees and charges from the users of such system or disposal facilities or Project a charge not exceeding five per cent of the total collected therefrom; to delegate the collection of such fees and charges to any agency which collects sewer or water service charges in the Local Public Body and to pay as compensation for the services to such agency all or any part of such five per cent;

(f) To enter into such agreements, to perform such acts and to delegate such functions and duties as its governing body shall determine to be necessary or desirable to enable the Authority to fund a grant to the Local Public Body to aid it in the construction or acquisition of a Project.

Section 18. State Treasurer's Custody of Funds and Securities. The State Treasurer shall have custody of all moneys or funds paid or delivered to the Authority and shall establish a separate account for each Project of each Local Public Body, and such moneys or funds shall be dedicated and used solely for the payment of any grant by the Authority for the State to such Local Public Body or, in case the Bonds of the Authority shall have been issued to fund such grant, the payment of the principal of and interest on such Bonds, the expenses of

such payment and any reserve fund required for such Bonds by the Authorizing Resolution; provided, that if there shall be any surplus funds on deposit in said fund to the credit of the Project of a Local Public Body, then, upon application by such Local Public Body, the State Treasurer may make cash expenditures from such account for any such Project to the extent that moneys are available therefor in any fiscal year of the Authority after there shall have been first set aside therein funds sufficient to provide the principal maturing and interest and reserve fund payments coming due in the ensuing fiscal year on the then outstanding Bonds which have been issued to contribute to the cost of any prior Project or Projects of that particular Local Public Body.

Section 19. Exemption from Taxation. All Bonds of the Authority and the coupons applicable thereto and the income therefrom and all Projects or parts thereof and all assets of the Authority shall be forever exempt from any and all taxation in the State.

Section 20. Bonds and Coupons Constitute Negotiable Instruments. All Bonds issued by the Authority, while not registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any Bonds issued by the Authority, while the applicable Bonds are not registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 21. Obligations of Authority Not a Debt of the State. All Bonds, notes and certificates issued by the Authority shall be solely and exclusively obligations of the Authority, payable solely from the revenues, income, fees, charges or rent which may pursuant to the provisions of this Act, be pledged to the payment thereof, and no such Bonds, notes or certificates shall create an obligation or debt of the State. Provided, however, that an agreement by the Authority to make a grant to a Local Public Body for a Project shall impose an obligation on the State to make such grant from any funds which are then or may thereafter become available regardless of the funding of the grant by the Local Public Body and subject only to any terms and conditions set forth in such agreement.

Section 22. Presumption of Validity of Bonds and Publication of Notice Thereof. Each Authorizing Resolution or an indenture of trust provided for therein shall contain a recital that the Bonds therein authorized are issued pursuant to the provisions of this Act, which recital shall be conclusive evidence that said Bonds have been duly authorized pursuant to the provisions of this Act, notwithstanding the provisions of any other law now in force or hereafter enacted or amended. Upon the passage of any Authorizing Resolution, the Authority may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery, Alabama, a notice in substantially the following form (the blanks being properly filled in):

"Alabama Pollution Control Finance Authority, an agency of the State of Alabama, on the _____ day of _____, 19____, adopted a resolution providing for the issuance of \$_____, principal amount of Bonds of the Authority. Any action or proceedings questioning the validity of said resolution or said Bonds or the pledges and agreements made in said resolution for the benefit thereof, or the proceedings under which said Bonds, pledges and agreements were authorized, must be commenced within twenty days after the first publication of this notice.

Alabama Pollution Control Finance Authority By Its President (or Vice President)"

Any action or proceeding in any court seeking to set aside or invalidate any Authorizing Resolution or to contest the validity of any Bonds therein authorized, or the the validity of any pledge or agreement made therefor, must be commenced within 20 days after the first publication of such notice. After the expiration of 20 days following such first publication, no right of action or defense founded upon the lack of validity of the Authorizing Resolution, indenture of trust therein provided for or other proceedings, or of the Bonds or of the pledges or agreements shall be asserted. In the event of such publication the validity of such Authorizing Resolution, indenture of trust, proceedings, Bonds, pledges or agreements shall not be open to question in any court upon any ground whatsoever, except in an action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, Alabama.

Section 23. Dissolution of the Authority. When all Bonds issued by the Authority and all obligations made or assumed by it under the provisions of this Act shall have been paid in full, the then officers and directors of the Authority shall at such time file with the Secretary of State a written statement, subscribed and sworn to by each of them, reciting the payment in full of all such Bonds and obligations. Such statement shall be filed with the Secretary of State and recorded with the certificate of incorporation of the Authority, and thereupon the Authority shall stand dissolved. Any property owned by the Authority but leased to a Local Public Body shall become the property of such Local Public Body and any property owned by the Authority and not leased to any Local Public Body shall become the property of the State.

Section 24. Severability Provision. The provisions of this Act are severable. In the event that any section or part thereof is declared invalid, such declaration shall not affect the validity of the parts and sections which remain.

Section 25. Effective Date of Act. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	King	Register	
Carr	Gilmore	Lindsey	Shelby	
Clark	Givhan	Littleton	Vacca	
Cook	Hammond	Lybrand	Wilder	
Dominick	Harris	McLain	Wilson	
Dozier	Hawkins	Malone		—30

Nays: —0

And said Bill, H. B. 207, as thus amended by the substitute, was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone	
Bailes	Edington	Horne	Noonan	
Branyon	Fine	King	Owen	
Carr	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick				—28

Nays: —0

The Bill:

S. 39. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, S. B. 39, to-wit:

AMENDMENT TO S. B. 39

Amend by deleting therefrom the following in sentence No. 7: "which shall be taken ore tenus."

Which was adopted.

Yeas 21; Nays 5.

Yeas:

Messrs.:	Edington	Littleton	O'Bannon	
Bailes	Gilmore	Lybrand	Register	
Carr	Hammond	McLain	Vacca	
Clark	Harris	Malone	Wilder	
Cook	King	Noonan	Wilson	
Dozier	Lindsey			—21

Nays:

Messrs.:	Cooper	Fine	Weaver	
Branyon	Dominick			—5

And said Bill, S. B. 39, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 16; Nays 11.

Yeas:

Messrs.:	Harris	Lybrand	O'Bannon	
Bailes	King	McLain	Register	
Carr	Lindsey	Malone	Wilder	
Clark	Littleton	Noonan	Wilson	
Edington				—16

Nays:

Messrs.:	Cooper	Fine	Shelby	
Branyon	Dominick	Gilmore	Vacca	
Cook	Dozier	Hawkins	Weaver	
				—11

The Bill:

S. 226. Relating to civil remedies and procedure: To provide that in civil cases at law and in equity the jury shall be composed of eight members and three-fourth of the members of a jury may render a lawful verdict in such civil cases.

was taken up.

ADJOURNMENT

At 12:30 P. M., on motion of Mr. Fine, in accordance with Joint Resolution heretofore adopted by the Senate, and pending further consideration of S. B.'s 226 and 138, the Senate adjourned until Tuesday, June 29, 1971, at 2 o'clock P. M.

TWELFTH LEGISLATIVE DAY

TUESDAY, JUNE 29, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Russell Williams, Associate Pastor, Saint James United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Bailes for today.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 31. Relative to the legislative intent in connection with the proposed levy on soy bean producers.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 407. To create and establish a Data Systems Management Division in the Department of Finance; to prescribe the composition, powers and duties of the Division and of its Director; and to provide for necessary appropriations and funding of said Division.

Committee on Finance and Taxation.

By Mr. Harris:

S. 408. To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barbers shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to renew a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barber shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to renew a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), is hereby amended to read as follows:

"Section 1. After this Act takes effect it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, or to instruct in a barber college or, to advertise or assume to act as such without a license issued by the Barbers' Commission of Morgan County. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

"No operator or proprietor of a barber shop or barber college as defined herein shall employ any person, no matter how such employee may be compensated, who actively engages in the barber business, or as an instructor unless such employee has been duly licensed as required in sections 4 or 5 of this act."

Section 2. Section 4 of Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), is hereby amended to read as follows:

"Section 4.

A. A barber's college or school, before it shall be issued a license by the Barbers' Commission, must comply with the requirements and standards as follows:

(a) Require as a prerequisite to admission, a diploma or other proof of graduation from a grammar school, or satisfactory completion of an examination devised or approved by the Commission, showing knowledge equal to such education.

(b) Require as a prerequisite to graduation, satisfactory completion of a course of instruction of not less one thousand (1,000) hours, to be completed over a period of not less than nine months of continuous instruction of not more than eight hours in any one day.

(c) Such course of instruction shall include the following, or like and equal, subjects: scientific fundamentals of barbering; hygienic bacteriology; histology of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sterilization

and antiseptics; diseases of the skin and hair; massaging and manipulating the muscles of the scalp, face, and neck; and haircutting, shaving, and bleaching and dyeing of the hair.

B. In order to receive a license as an instructor in a barber college or school licensed under this Act an applicant must meet the following requirements:

(a) He must be a high school graduate.

(b) He must furnish suitable evidence that he has either: (i) been actively engaged as a licensed barber for seven (7) years immediately preceding the filing of the application, or, (ii) been actively engaged as a licensed barber for three (3) years immediately preceding the filing of the application and be a graduate of a barber college or school licensed, conducted or accredited by the State of Alabama or some agency or political subdivision thereof.

(c) An instructor's license can be renewed for no more than three (3) years unless the applicant furnish satisfactory proof to the Commission that he has received credit for a minimum of 8 hours instruction in the field of education from an accredited college or university.

C. In order to receive a license as an apprentice barber an applicant must meet the following requirements:

(a) He must have graduated from a barber's school or college that is approved by the Commission.

(b) Be seventeen years of age, or older.

(c) Be of good moral character and temperate habits.

(d) Pass an examination conducted by the Commission to determine his fitness to practice as an apprentice barber.

(e) Meet all the other requirements of this Act as it applies to apprentice barbers.

D. In order to receive a license as a barber an applicant must meet the following requirements:

(a) He must be a licensed apprentice barber and have practiced as such under the immediate personal supervision of a licensed barber for a period of not less than twelve months.

(b) Be eighteen (18) years of age, or older.

(c) Be of good moral character and temperate habits.

(d) Pass an examination conducted by the Commission to determine his fitness to practice barbering, such examination to include factors to determine the applicants general educational level as well as his knowledge and skill of barbering. The examination shall be conducted with a view of determining whether the applicant has general knowledge equal to an elementary school education or its equivalent, whether he has a thorough knowledge of the subjects required to be taught in barber's school or college, and in examining him as to his knowledge of barbering he shall be taken to a barbers chair in a barber shop where barbers licensed under this Act are practicing barbering and given an examination that will determine his skill as a barber, by requiring him to perform any act or acts of barbering and to name any of the instruments and their parts which are used in a barber shop.

(e) Meet all the other requirements of this Act as it applies to a barber.

E. A barber's license shall be issued without examination by the Commission to any person who, for two years immediately preceding the effective date of this Act, has been continuously engaged in the practice of barbering at one or more established places of business in Morgan County, provided he shall make application before the expiration of three years after the effective date of this Act, which application shall be accompanied by the recommendations of at least two licensed barbers doing business in Morgan County, not related to the applicant by blood or marriage, certifying that the applicant is of good reputation and qualified to practice barbering.

F. A licensed apprentice barber shall not independently practice barbering, but may do any and all acts constituting the practice of barbering under the immediate personal supervision of a licensed barber."

Section 3. Section 5 of Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), is hereby amended to read as follows:

"Section 5. Words used in the masculine gender in this act includes the feminine gender.

"Every applicant for a barber's license, apprentice barber's license, or for a license to operate a barber shop, barber college or other like business or for a license as an instructor in a barber college shall apply therefor in writing on blanks prepared and furnished by the Commission. Such application shall be accompanied by the recommendation of at least two licensed barbers doing business in Morgan County, not related to the applicant by blood or marriage, certifying that the applicant is of good reputation, is qualified to practice the trade of barbering, and recommending that a license be granted him. The application shall be accompanied by a doctor's certificate certifying that the applicant has no communicable, contagious, or infectious disease.

"An applicant for any license provided for under this Act who is refused such license shall be so notified in writing, along with the reason or reasons therefor, such notice to be personally delivered to the applicant or sent to his last known address by registered mail.

"An applicant for a license who fails to satisfactorily complete an examination conducted by the Commission may apply for re-examination at any future meeting of the Commission.

"When an applicant shall pass the examination where required, and meet the other requirements provided for in this Act the Commission shall issue a license, the form and contents to be prescribed by the Commission, showing the Seal of the Commission and the signatures of the Commissioners. This license shall be publicly displayed in the place of business where the licensee works or operates. The Commission shall also issue to each licensee a pocket card on which shall be imprinted the Seal of the Commission and certifying that the person whose name appears thereon is a licensed barber, apprentice barber, or operator of one of the businesses named herein.

"The original and annual renewal fee for each apprentice barber's barber's and barber instructor's license shall be ten dollars (\$10.00). The original and any subsequent examination fee for apprentice barber or barber or barber instructor shall be fifteen dollars (\$15.00). The original and annual renewal fee for operating a barber college or school shall be one thousand dollars (\$1,000.00).

"Any licensed barber who reaches the age of 65 years shall be exempt from the renewal fee of ten dollars (\$10.00) for the year in which he attains age 65, and for each year thereafter, provided he has been a duly licensed barber for the next five years preceding the year he attains

age 65. Application for this exemption must be made to the Barber's Commission of Morgan County, who shall determine the applicant's eligibility for such exemption.

"Any licensed barber or apprentice barber who retires from the practice of barbering and fails to keep his license renewed, may, for a period of two years after the expiration date of his last license, renew his license upon payment of a restoration fee of ten dollars (\$10.00) in addition to the license fee, and by furnishing the proper health certificate and meeting the other requirements of this Act; provided, that he need not take another examination unless more than two years has elapsed.

"Every license shall expire on the thirty first day of December of each year. A licensee whose license has expired, may, within thirty (30) days thereafter, have his license renewed upon making a satisfactory showing to the Commission, supported by his personal affidavit, which, in the opinion of the Commission will excuse the applicant for having failed to renew his license within the time required by this Act. A penalty of 25 per cent of the annual license fee will be added to the fee charged any person who renews his license after January 31st of each year.

"The Commission shall issue a new license to each applicant for the ensuing year, in the absence of any reason or condition that might warrant the refusal of granting the license, upon the receipt of the written request of the applicant, accompanied by the annual fee therefor and the proper physicians certificate.

"The Commission may upon its own motion, and shall upon the written complaint of any three persons making out a prima facie case, investigate the actions of any licensee, and shall have the power to suspend or revoke any license issued under the provisions of this Act where the licensee has fraudently obtained his license, or where the licensee is guilty of the violation of any state, county, or city statute or ordinance pertaining to barbering or the operation of a business affected hereby, the violation of any provision of this act, or the violation of any rule or regulation established by the Commission.

"The Commission shall, before denying an application for a license, or before suspending or revoking any license, set the matter down for hearing, and at least ten days prior to the date set for the hearing notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. Such notice shall be personally delivered to the applicant or licensee or by mailing the same by registered mail to the last known address of such applicant or licensee. At all hearings the applicant or licensee shall have the opportunity to be heard in person or by counsel or both and shall have the right of attendance of witnesses in his behalf. In the preparation and conduct of the hearings, the Commission shall have the power to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the Commission may issue subpoenas, administer oaths, and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the courts of the State in civil cases. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence or produce papers, as the case may be, and any failure to obey such order of the court may be punished by the court as a contempt thereof. Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, shall be punished as pro-

vided by law. If the Commission shall determine that any applicant is not qualified to receive a license, or that any licensee is guilty of a violation of any of the provisions of this Act, a license shall not be granted, or the same shall be revoked as the case may require. Upon request of the applicant or licensee in writing, the Commission shall furnish said party with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of Morgan County, provided an appeal is taken within ten days after such final determination of the Commission. Any person desiring to appeal under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the County of Morgan, conditioned to prosecute such appeal to effect, and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court of Morgan County, and any cause so appealed shall be tried de novo in said Circuit Court. In any of the aforesaid Commission hearings or court cases the Commission shall be represented by the County or Circuit Solicitor.

"The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or apprentice barbers, and shall conduct said examination in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located."

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Decatur, Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1971.

B. C. SHELTON.

Sworn to and subscribed before me This 31st day of May, 1971.

R. H. JERVIS,
Notary Public.

My Commission Expires October 3, 1973.

By Mr. Lybrand:

S. 409. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Committee on Constitution and Elections

By Messrs. Lybrand, Pelham and Clark:

S. 410. To require domestic insurance companies and Mutual Aid or Fraternal Societies to keep the original records pertaining to operations within the confines of this State; to provide for revocation or suspension of license for failure to do so.

Committee on Insurance.

By Messrs. Lybrand, Pelham and Clark:

S. 411. To provide a Uniform Standards Code for the protection of life and property.

Committee on Insurance.

By Messrs. Lybrand, Pelham and Clark:

S. 412. To increase the penalty for a violation of a Fire Marshal's regulation or order.

Committee on Insurance.

By Messrs. Lybrand, Pelham and Clark:

S. 413. To create the Alabama Insurance Guaranty Association to provide for the payment of claims of claimants and policyholders of insolvent insurance companies.

Committee on Insurance.

By Messrs. Hawkins and Pelham:

S. 414. To provide a Uniform Alabama Controlled Substances Act for preventing drug abuse and drug dependence, to standardize all laws in this state to be in conformity with the new Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and to repeal existing state statutes in conflict.

Committee on Health.

By Messrs. Hawkins and Pelham:

S. 415. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for violations of rules and regulations established hereunder:

Committee on Health.

By Messrs. King, Pelham, Fine, McLain, Noonan, Shelby, Weaver and Vacca:

S. 416. To amend Act No. 730, Acts of Alabama, Reg. Sess. 1967, approved September 8, 1967, to authorize, provide for, and regulate the reimbursement out of the state treasury of certain expenses incurred by judges of Alabama attending and participating in the National College of State Trial Judges of Reno, Nevada, and to make a continuing appropriation therefor.

Committee on Finance and Taxation.

By Messrs. King, Pelham, Fine, McLain, Noonan, Shelby, Weaver and Vacca:

S. 417. To regulate expense allowances of circuit judges when ordered to hold court or perform official duties outside the respective circuits for which they are elected, amending Section 179 of Title 13 of the Code of Alabama 1940, as amended.

Committee on Finance and Taxation.

By Messrs. King and Vacca:

S. 418. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuit Judges in counties of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerk;

Committee on Local Legislation No. 2.

By Mr. Givhan:

S. 419. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163), and Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

Committee on Agriculture.

By Mr. Givhan:

S. 420. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

Committee on Agriculture.

By Messrs. Wilder and Pelham:

S. 421. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Committee on Banking.

By Messrs. Lindsey and Pelham:

S. 422. To further amend Section 5 of Act No. 202 of the 1953 Regular Session, as amended by Act No. 653, Acts of Alabama, Regular Session, 1965 (Volume II, page 1177), Approved August 30, 1965, so as to increase the number of Deputy Commissioners that may be appointed by the Commissioner.

Committee on Judiciary.

By Messrs. Lindsey and Pelham:

S. 423. To provide for the appointment and compensation of a Director for each of the custodial institutions operated by the State Board of Corrections.

Committee on Judiciary.

By Messrs. Lindsey and Pelham:

S. 424. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

Committee on Judiciary.

By Messrs. Lindsey and Pelham:

S. 425. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Committee on Judiciary.

By Messrs. Lindsey and Pelham:

S. 426. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

Committee on Judiciary.

By Mr. McLain:

S. 427. To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties, terms of office, and compensation.

Committee on Judiciary.

By Mr. Cooper:

S. 428. To amend Sections 107 and 176, Title 17 and Section 34 (39), Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

Committee on Constitution and Elections.

By Mr. Foshee:

S. 429. Relating to counties having populations not less than 34,000 nor more than 34,500, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Committee on Local Legislation No. 1.

By Mr. Givhan:

S. 430. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me June 18, 1971.

ELIZABETH F. STEWART,
Notary Public, Perry County, Ala.

By Messrs. Pierce and Jones:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 432. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 180,000 people and in which there is an incorporated city having a population of 70,000 people and less than 135,000 people according to the last Federal Census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 433. To authorize all cities in the State of Alabama having a population exceeding 70,000 and not exceeding 135,000 inhabitants, according to the 1970 or any succeeding regular decennial federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four percentum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to per-

sons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 434. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for city planning and zonings; creating a planning commission for each such city, and prescribing the powers and duties of such a commission.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 435. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 70,000 and not more than 135,000 people, according to the 1970 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board,

public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 436. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this state having a population exceeding 150,000 and not exceeding 180,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 437. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all counties of Alabama, having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 federal census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex-officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (\$5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex-officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (\$3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Committee on Local Legislation No. 1.

By Messrs. Jones and Pierce:

S. 438. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Committee on Local Legislation No. 1.

By Mr. Pierce:

S. 439. Relating to counties having populations of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; to provide that no fire station shall be used as a polling place in any election.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 440. To provide that certain communications between clergymen and their communicants shall be privileged; defining terms; and providing for the application of this act.

Committee on Judiciary.

By Mr. Clark:

S. 441. Relating to Barbour County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act No. 78, S. 72, Special Session 1961 (Acts of 1961, p. 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such pursuant to said Act. The following words and phrases when used in this Act shall have the meaning ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended: "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct his business entirely within Barbour County shall be licensed by the state board of cosmetology as a managing cosmetologist without having served any time as a licensed cosmetologist in a registered beauty shop or school of cosmetology prior to application for such license, provided, such applicant complies with all other requirements for such license and in lieu of having completed the required time and studies for a complete course of cosmetology of not less than twelve hundred (1200) hours of continuous training, not to exceed more than eight hours in any one day, has completed such required time and studies for fifteen hundred (1500) hours of continuous training, not to exceed more than eight hours in any one day.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as

an apprentice in a duly registered beauty shop in Barbour County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating the practice of cosmetology; however the provisions of this Act shall supersede as to Barbour County the provisions of any other law, general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p. 1955) conflicts with this Act it is superseded as to Barbour County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, 1971, June 8, 1971, June 15, 1971, and June 22, 1971, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me June 28, 1971.

SHERRY G. HARRISON,
Notary.

By Mr. Pelham:

S. 442. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Committee on Judiciary.

By Mr. Pelham:

S. 443. To prohibit any public utility or its affiliate from engaging, directly or indirectly, in promotional practices as defined in this Act in or in connection with the promotion or sale of any appliance or equipment which consumes or utilizes electric energy or gas energy; to define words and terms used in this Act; to provide penalties for the violation of this Act; and to provide injunctive relief for the enforcement of this Act.

Committee on Business and Labor.

By Mr. Pelham:

S. 444. To amend Title 5, Section 133, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Committee on Banking.

By Mr. Cooper:

S. 445. To repeal Act No. 106, S. 52, approved September 30, 1965, Special Session 1965 (Acts 1965, p. 144), entitled, "An Act To apply only in counties of the State having populations of not less than 18,000 nor more than 19,400 inhabitants according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Committee on Local Legislation No. 1.

By Messrs. O'Bannon and Lybrand:

S. 446. To make an appropriation to the Alabama State Board of Public Accountancy.

Committee on Finance and Taxation.

By Mr. Owen:

S. 447. Relating to counties having populations of not less than 57,400 nor more than 61,000 according to the most recent federal decennial census; to provide that the county commission shall furnish separate office space to the circuit clerk and the register in equity in the courthouse.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 448. To authorize and provide further for Supernumerary District Attorneys, etc:

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

By Messrs. Gloor, Williams, Wood, Bank, Hardin, Crawford, Drake, Adwell, McCluskey and Slate:

H. 207. To provide for state grants to counties, incorporated cities and towns, public boards, districts or other public bodies, for water pollution control projects, the incorporation, organization, functions and powers of the Alabama Pollution Control Finance Authority, as a public corporation, agency and instrumentality of the State, to authorize the Authority to obligate the State to make grants to such local public bodies, to issue its bonds and exercise other corporate powers to aid such local public bodies in obtaining grants under the Federal Water Pollution Control Act; to appropriate the net proceeds of bonds and other funds to the Authority to be used for such grants; to authorize such counties, incorporated cities and towns, public boards, districts or other public bodies to provide for the funding of any grant to such local public body by the Authority by obligating itself to provide funds to pay the bonds

issued or to be issued by the Authority to provide for such grants, either on the full faith and credit of such local public body or from a limited source or by levying and collecting and paying over to the Authority fees and charges for the use of its sewers or waste disposal system or facilities or to lease a project from or to the Authority, and otherwise to provide for State assistance to and cooperation with such local public bodies in financing water pollution control projects.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 445. To authorize the Madison County Commission to provide for the relief of Howard Childers.

Also:

H. 172. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Waldrop, Carnes, Wynot, Smith (P), Chesnut, Reid (R), Goodwin, Coshatt, Grey (D), Hale, Cross, Carter, Hill, Flippo, Slate, King, Cauthen, Parker (H) and Doss:

H. 428. To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors, and repealing conflicting laws.

Also:

By Messrs. Turnham and McBride:

H. 190. To make an appropriation for the purpose of purchasing Free Textbooks for the fiscal year ending September 30, 1971.

Also:

By Mr. Mathews:

H. 525. To provide for an expense allowance for the presiding judge of all Judicial Circuits in this State composed of three (3) counties with

two (2) circuit judges, and having a total population of not less 60,000 or more than 70,000 according to the last or any subsequent Federal Decennial Census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Also:

By Messrs. Bowers, Jones (E), Meeks, Gafford, Wallace, Falkenburg, Boutwell, Dill and Weeks:

H. 530. To amend Section 210 of Title 13 of the 1940 Code of Alabama, which relates to the appointment, term and removal of registers of circuit courts.

Also:

By Messrs. Carnes, Perloff, Wood, Brassell, Casey and Boutwell:

H. 529. To amend Section 55, Title 30, Code of Alabama 1940, which relates to the grounds for challenging jurors for cause.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 428, 525, 530 and 529. To the Committee on Judiciary.

H. B. 190. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 207. To provide for state grants to counties, incorporated cities and towns, public boards, districts or other public bodies, for water pollution control projects, the incorporation, organization, functions and powers of the Alabama Pollution Control Finance Authority, as a public corporation, agency and instrumentality of the State, to authorize the Authority to obligate the State to make grants to such local public bodies, to issue its bonds and exercise other corporate powers to aid such local public bodies in obtaining grants under the Federal Water Pollution Control Act; to appropriate the net proceeds of bonds and other funds to the Authority to be used for such grants; to authorize such counties, incorporated cities and towns, public boards, districts or other public bodies to provide for the funding of any grant to such local public body by the Authority by obligating itself to provide funds to pay the bonds issued or to be issued by the Authority to provide for such grants, either on the full faith and credit of such local public body or from a limited source or by levying and collecting and paying over to the Authority fees and charges for the use of its sewers or waste disposal system or facilities or to lease a project from or to the Authority, and otherwise to provide for State assistance to and cooperation with such local public bodies in financing water pollution control projects.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 750. Providing for the compensation of the County Superintendent of Education in any county having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 750. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 289. To authorize the director of conservation to declare open season on the killing of beavers under certain conditions and to provide for the payment of bounty therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 289. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 34. Relative to the adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Stewart, Adwell, Baker, Bank, Benton, Boutwell, Carnes, Carter, Casey, Cauthen, Cherner, Chesnut, Coshatt, Cross, Doss, Ellis, Erdreich, Flippo, Gloor, Grainger, Gray (F), Hale, Harris, King, Kinsey, Lutz, McCluskey, May, Merrill, Mims, Naramore, Nettles, Parker (H), Perloff, Roberts, Stokes, Waldrop, Wise, Wood, Wynot:

H. J. R. 10. Ratifying the proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

WHEREAS, the 92nd Congress of the United States of America at its first Session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Section 2. The Congress shall have the power to enforce this article by appropriate legislation."

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That:

1. The proposed amendment to the Constitution of the United States as herein shown be and the same is hereby ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Clerk of the House to the Administrator of General Services, Washington, D. C. and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 10, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 29. RESOLUTION MOURNING THE DEATH OF MR. HENRY DELAMAR WATSON OF CLAYTON.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cherner, Lyons, Adams, Barkett, Bassett, Brassell, Callahan, Carnes, Carter, Cauthen, Collins, Cross, Culver, Downing, Drake, Erdreich, Fite, Flipppo, Grey (D), Hardin, Harris, Hearn, Hill, Hobbie, Jones (E), Jones (F), King, Lang, McBride, McDonald, Merrill, Mims, Naramore, O'Daniel, Parker (T), Perloff, Reid (R), Roberts, Robertson, St. John, Slate, Smith, (K), Smith (P), Stewart, Stokes, Taylor, Therrell, Timmons, Turnham, Waldrop, Warren, Weeks, Williams, Wood and Wynot:

H. J. R. 56. Resolution proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote; and respecting the rights, privileges, immunities, responsibilities and liabilities of persons eighteen years of age and upwards.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

Proposed Amendment

"Every citizen of this state who is eighteen years old or more, not laboring under any of the disabilities named in the eighth article of this Constitution, and possessing the qualifications required therein, shall be an elector, and shall be entitled to register and to vote at any election by the people, the same as persons twenty-one years old or upwards; and all citizens of this state eighteen years of age or more shall be entitled to the same rights, privileges and immunities, and subject to the same responsibilities and liabilities as those granted to or required of citizens twenty-one years of age or older. The State shall not make or enforce any law which abridges the rights, privileges, responsibilities or liabilities of such persons.

"This amendment shall be self-executing; but the legislature shall have the right and power by general, special or local act to adopt laws supplemental to this amendment or in furtherance of the purposes and objectives hereinabove set forth."

An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Code of Alabama 1940, Chapter 1, Article 18, Title 17.

Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 56, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Lang and Warren:

H. J. R. 59. MOURNING THE DEATH OF JOSEPH HALBERT LEAVELLE, JR., AND WILEY ASHLEY CLARK III.

Also:

By Mr. Hale:

H. J. R. 62. Resolution commending the Huntsville Association of Technical Societies for sponsoring "A SPACE CONGRESS FOR THE NON-AEROSPACE PUBLIC."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 59 and 62, the titles of which are set out in the foregoing Message from the House, were severally read and ordered to lay over on the Secretary's desk.

REPORTS OF COMMITTEES

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

S. 122. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

Mr. Foshee, Chairman of the Standing Committee on Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 304. To provide for the operation of cotton wagons over the public roads of the state.

By Mr. Foshee:

S. 327. To provide that no person may serve more than two terms on the Public Service Commission.

By Mr. Littleton:

S. 343. To provide for the issuance of special license tags to members of the Alabama Jaycees.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 399. To repeal Act No. 237, S. 459, approved August 16, 1967, Regular Session 1967 (Acts 1967, p. 613), entitled, "An Act to apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars."

By Mr. Shelby:

S. 403. To provide supernumerary circuit court bailiffs for the Sixth Judicial Circuit of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries:

By Mr. Shelby:

S. 404. To provide additional compensation for the official Court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

By Messrs. Jackson and Wise (with notice and proof):

H. 33. Relating to Covington County, Alabama; creating the office of clerk-secretary to the Judge of the 22nd Judicial Circuit, District Attorney of the 22nd Judicial Circuit, and the Judge of the Intermediate Court of Covington County, Alabama; providing for the appointment of said clerk-secretary; prescribing the duties and authority of said clerk-secretary, and fixing the compensation of said clerk-secretary.

By Mr. Carnes et al (with notice and proof):

H. 55. To set the compensation for jurors serving in the circuit court of Etowah County.

By Messrs. Cross and Carter (with notice and proof):

H. 377. To create an inferior court for Lawrence County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

By Mr. Callahan et al (with notice and proof):

H. 450. To provide a procedure for the reduction of the corporate limits of the City of Prichard, Alabama.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and or-

dered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Collins et al:

H. 222. To regulate further arrests at the scene of a traffic accident; to authorize certain uniformed law enforcement officers to make arrests at such scenes without a warrant under certain conditions and circumstances.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with substitute):

S. 253. To amend further Section 9 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended, an act regulating the practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology; so as to provide for the accreditation of completed hours of training and apprenticeship under certain supervised vocational education programs.

MOTION IN WRITING

Mr. Foshee offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"Notice in Writing having been given on the preceding legislative day, motion is now made to amend Senate Rule 46 by striking therefrom '14. Transportation and Common Carriers. 9 members' and substituting in lieu thereof the following: '14. Commerce, Transportation and Common Carriers. 9 members.'"

On motion of Mr. Foshee, the Rules were suspended and said Motion in Writing was adopted by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Harris	McLain	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Edington	Jones	Owen		—22

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment on the State Board of Pardons and Paroles.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

June 29, 1971

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have re-appointed, subject to your confirmation, Norman F. Ussery of Robinson Springs, Alabama, as a member of the State Board of Pardons and Paroles for the term expiring June 30, 1977.

Respectfully,

GEORGE C. WALLACE,
Governor.

June 29, 1971

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the re-appointment of Honorable Norman F. Ussery to the State Board of Pardons and Paroles, was read and referred to the Standing Committee on Rules.

NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

"NOTICE IN WRITING"

"Notice is hereby given that on the next legislative day a Motion in Writing will be introduced to amend Joint Rule 3 to read as follows:

"3. No local bill, special bill or general bill of local application that applies to but one county or city shall be introduced in either house unless the same shall have attached thereto the notice and proof of publication required of local legislation by Section 106 of the Constitution."

which was read and ordered spread upon the Journal.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 61. Naming Building for Dr. LeRoy Brown.

Also:

H. J. R. 57. Mourning the Death of Judge Hugh A. Locke.

were again read and, on motion of Mr. Cooper, were adopted by the Senate.

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. CONGRATULATING MISS KITTY WINN UPON BEING NAMED BEST ACTRESS AT THE RECENT INTERNATIONAL FILM FESTIVAL IN CANNES, FRANCE.

which was read and ordered to lay over on the Secretary's desk.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. REQUESTING THAT THE CORPS OF ARMY ENGINEERS NAME THE JONES BLUFF LOCK AND DAM FACILITY FOR DR. ROBERT F. HENRY.

which was read and ordered to lay over on the Secretary's desk.

Messrs. Fine, Pierce, Foshee, Shelby, Vacca, Dozier and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. COMPLIMENTING CHILTON COUNTY ON ITS ANNUAL PEACH FESTIVAL AND THANKING SENATOR OBIE LITTLETON FOR INVITING THE LEGISLATURE.

which was read and ordered to lay over on the Secretary's desk.

BILLS ON THIRD READING

The Bill:

H. 211. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.
was taken up.

Mr. Fine offered the following amendment to the Bill, H. B. 211, to-wit:

AMENDMENT TO HOUSE BILL 211

Strike Section 1 in its entirety and substitute therefor the following:

The annual compensation of the chairman shall be \$19,500.00 and the annual compensation of each associate member of the Pardon and Parole Board shall be \$18,000.00. Such salaries shall be paid in the same manner and out of the same funds as heretofore provided by law.

Which was adopted.

Yeas 27; Nays 0

Yeas:

Messrs.:	Fine	Jones	O'Bannon
Branyon	Foshee	King	Owen
Carr	Gilmore	Littleton	Pelham
Clark	Givhan	Lybrand	Register
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dozier	Horne	Noonan	Wilson

—27

Nays:

—0

And said Bill, H. B. 211, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dozier	Horne	Noonan	Wilson
Edington	Jones	O'Bannon	

—30

Nays:

—0

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

S. 226. Relating to civil remedies and procedure: To provide that in civil cases at law and in equity the jury shall be composed of eight members and three-fourths of the members of a jury may render a lawful verdict in such civil cases.

Mr. Wilson moved that further consideration of the Bill, S. B. 226, be postponed until the next Legislative Day. Mr. Lybrand moved that the motion to postpone be laid on the table, and the motion to table was lost.

The question was then on the motion to postpone, which was adopted, and further consideration of the Bill, S. B. 226, was postponed until the next Legislative Day.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Givhan	Malone	Vacca
Dominick	Horne	Noonan	Weaver
Fine	King	Owen	Wilson

—15

Nays:

Messrs.:	Cooper	Jones	O'Bannon
Carr	Gilmore	Littleton	Register
Clark	Harris	Lybrand	Wilder
Cook	Hawkins	McLain	

—14

The Senate then proceeded to consideration of the second item of Unfinished Business for today, which was the Bill:

S. 138. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harris	Lybrand	Register
Carr	Horne	McLain	Shelby
Clark	Jones	Malone	Vacca
Dominick	King	O'Bannon	Weaver
Edington	Lindsey	Pelham	Wilder
Fine	Littleton		

—21

Nays:

Messrs.:	Cooper	Hawkins	Owen
Branyon	Gilmore	Noonan	Wilson
Cook	Givhan		

—9

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 9. Creating a Legislative Information Office.

The Standing Committee on Rules reported the following substitute for the Resolution, S. J. R. 9, to-wit:

SUBSTITUTE FOR S. J. R. 9

WHEREAS it is appropriate and advisable that the citizens of the State be knowledgeable concerning legislative matters and that they have easily available to them means of obtaining information with respect to the content and status of bills introduced in each House of the Legislature; and

WHEREAS it is incumbent upon the Legislature of Alabama to demonstrate its visibility to the electorate and to keep the general public abreast of the status of pending Legislation; and

WHEREAS a closer relationship between legislators and the citizens they represent would foster and further advance confidence, reliance and trust in this State's legislative body, and to the ultimate end that Alabama government may function more effectively; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Information Office for the purpose of supplying to any person in this State, information on request with respect to legislative matters, including the content and status of bills introduced in either House of the Legislature during any special or regular session of the Legislature. Such office shall operate only while the Legislature is in session and shall be equipped with a one-way WATS (Wide Area Telephone Service) line, which shall be made available, free of charge, to anyone in Alabama desiring to call the Capitol for such information.

Such office shall be under the joint management and control of the Clerk of the House and the Secretary of the Senate.

Which was adopted.

And said Resolution, S. J. R. 9, as thus amended by the substitute, was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

Motion in Writing amending Joint Rule 4 relative to the format of bills.

The Standing Committee on Rules reported the following amendment to the Motion in Writing, to-wit:

AMENDMENT TO MOTION IN WRITING
BY SENATOR DOMINICK

Amend Joint Rule 4 of the the Houses of the Legislature of Alabama to read as follows:

4. No bill amending an existing statute shall be introduced in either house unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be deleted is shown by cancelled type and the material to be inserted is shown by underscored type.

NOTICE: This rule change shall become effective upon passage of that certain Act introduced in this session making a supplemental appropriation to the Legislative Reference Service.

On motion of Mr. Harris, further consideration of the Motion in Writing and pending amendment was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 211. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, to-wit:

Motion in Writing containing a new Joint Rule 6, relative to numbering legislative documents.

And said Motion in Writing was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Motion in Writing, and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

Motion in Writing adding a new Joint Rule relative to printing a synopsis on all bills introduced in the House and Senate.

The Standing Committee on Rules reported the following substitute for the Motion in Writing, to-wit:

MOTION IN WRITING

Notice in Writing having been given on the previous legislative day, motion is now made to amend the joint rules of the House and Senate by adding thereto the following new rule:

All bills introduced in the House and Senate shall have printed at the top of the bill a synopsis of the contents.

NOTICE: This rule change shall become effective upon passage of that certain Act introduced in this session making a supplemental appropriation to the Legislative Reference Service.

Which was adopted.

And said Motion in Writing, as thus amended, was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 38. To Establish a Legislative Committee to Study Parking and Parking Problems in the Capitol Complex.

The Standing Committee on Rules reported the following amendment to the Resolution, H. J. R. 38, to-wit:

RULES COMMITTEE AMENDMENT TO H. J. R. 38

Amend Section 2 of H. J. R. 38 by deleting the words, "two members of the Senate" and inserting in lieu thereof, "three members of the Senate."

Further amend H. J. R. 38 by deleting Section 4 in its entirety and renumbering Section 5 as Section 4.

Which was adopted.

And said Resolution, H. J. R. 38, as thus amended, was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 211. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 211. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

ADJOURNMENT

At 4:45 P. M., on motion of Mr. Hawkins, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, June 30, 1971, at 12 o'clock Noon.

THIRTEENTH LEGISLATIVE DAY

WEDNESDAY, JUNE 30, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Mark E. Waldo, Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Bailes for today.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 211. To amend Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended (which relates to industrial development boards), so as to clarify the provisions thereof as to the character of projects that may be acquired, constructed and leased thereunder, so as to clarify and make further declarations as to the legislative intent of the said act, and so as to provide that boards organized under the said act and their contracts shall be exempt from the provisions of Act No. 217 adopted at the 1967 Special Session of the said Legislature, as amended.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 29. Mourning the death of Mr. Henry Delamar Watson.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its

title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, and it was read a second time at length as required by the Constitution and placed on the calendar, to-wit:

H. J. R. 56. Resolution proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote; and respecting the rights, privileges, immunities, responsibilities and liabilities of persons eighteen years of age and upwards.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 10. Ratifying the proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

RECESS

At 12:25 P. M., on motion of Mr. Cooper, the Senate took a recess until 1 o'clock P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. J. R. 10

The Senate proceeded to further consideration of the Resolution, H. J. R. 10.

Mr. Branyon moved that the Resolution, H. J. R. 10, be recommitted to the Standing Committee on Rules. On motion of Mr. McLain, the motion to recommit was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Clark	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Weaver	
Dozier	King	Noonan	Wilder	
Fine	Littleton	O'Bannon		—18

Nays:

Messrs.:	Cook	Harris	Owen	
Branyon	Cooper	Jones	Pierce	
Carr	Givhan	Lindsey	Wilson	—11

And said Resolution, H. J. R. 10, was then concurred in and adopted by the Senate.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Gilmore	McLain	Register	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Fine	Littleton	Pelham	Wilson	
Foshee	Lybrand	Pierce		—26

Nays:

Messrs.:	Cooper	Givhan	Harris	
Branyon	Dozier			—5

Mr. Horne moved that the Senate reconsider the vote by which the Resolution, H. J. R. 10, was adopted. On motion of Mr. McLain, the motion to reconsider was laid on the table.

Yeas 17; Nays 14.

Yeas:

Messrs.:	King	Noonan	Shelby	
Clark	Littleton	O'Bannon	Weaver	
Dominick	Lybrand	Pelham	Wilder	
Fine	McLain	Register	Wilson	
Foshee	Malone			—17

Nays:

Messrs.:	Cooper	Harris	Owen	
Branyon	Dozier	Hawkins	Pierce	
Carr	Gilmore	Horne	Vacca	
Cook	Givhan	Jones		—14

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 280. To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 449. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 450. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 451. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

Committee on Constitution and Elections.

By Messrs. Cook, Hawkins, King and Vacca:

S. 452. To provide retirement allowances for elected officials and former elected officials of all municipalities of the State having a population of 300,000 or more according to the last and any subsequent federal census.

Committee on Local Legislation No. 2.

By Mr. Dominick:

S. 453. To amend Act No. 427, S. B. 33, approved August 23, 1949 (General Acts 1949 pp 609-610) relating to the Legislative Reference Service and specifically amending the duties and powers of the Legislative Reference Service.

Committee on Judiciary.

By Mr. Dominick:

S. 454. To amend Act No. 452, adopted at the Regular Session of 1955 of the Legislature of Alabama, as amended, providing a mayor-council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to change the dates of certain elections for which provision is made by said Act.

Committee on Local Legislation No. 2.

By Mr. Dominick:

S. 455. To implement the amendment to the Constitution of Alabama proposed at the 1971 Regular Session of the Legislature of Alabama pertaining to the consolidation of certain areas in Jefferson County, Alabama, under a consolidated city government; to provide for the form and powers of the consolidated city government; to provide as the governing body of the consolidated city government a city council; to provide for the number of members of the city council, their elections and terms of office, and the districts within the consolidated city from which members of the said city council shall be elected; to specify the duties, functions, powers and authority of the said city council; to provide for the election, appointment or designation of officers and employees of the consolidated city and for their qualifications, duties, functions, powers and authority; to provide for the

election, term, qualifications and compensation of a Mayor of the consolidated city and for the filling of vacancies in office of Mayor; to specify the duties, powers, functions, responsibilities and authority of the Mayor; to provide for the election, term, qualifications and compensation of a President of the said city council and for the filling of vacancies in the office of the President of the city council; to specify the duties, powers, functions, responsibilities and authority of the President of the city council; to provide for the control of the finances of the consolidated city; to provide for an annual budget, its preparation, submission, and adoption and the affect thereof; to create and define the powers, functions, duties and authority of the department of finance and director of the department of finance; to regulate purchases and contracts of the consolidated city; to provide for the existence within the consolidated city of certain municipal corporations to be known as towns (as specially defined in this Act), their boundaries, the conditions under which and means by which they shall come into existence; to provide for powers, rights and duties of the towns, including but not limited to powers in the area of recreation, planning and zoning, garbage and trash collection, and the granting of liquor licenses; to provide the manner in which each town shall exercise its planning and zoning responsibilities and powers; to provide for the election of town councils as a governing body of the towns; to provide for the manner in which the town councils shall conduct their business; to provide for review by the city council of the consolidated city of actions by the town council in planning and zoning matters; to provide for the application, administration, and enforcement of the planning and zoning ordinances of the town councils and for the appointment of officers having duties with respect thereto; to provide for the preservation of certain areas within the consolidated city for the exclusive jurisdiction of the consolidated city council in planning and zoning matters; to specify the ad valorem taxing power of the consolidated city; to provide for the payment over to the town of certain proceeds of certain ad valorem taxes; to provide for the levying, collection and distribution of ad valorem taxes for public school purposes in the several school districts within the consolidated city; to provide for the levying of additional ad valorem taxes within certain areas of the consolidated city for school purposes; to provide for restrictions on municipal borrowing of municipalities located within the areas proposed to be consolidated pending consolidation; to provide for the succession in government in the event that the consolidation becomes effective, including the effect of consolidation on employees in municipalities existing prior to the date of consolidation, upon the pension rights of such employees, upon contracts, and upon boards, authorities and other public corporations appointed by municipalities located within the boundaries of the area proposed to be consolidated; to provide for the transfer of utilities owned and operated by prior existing municipalities to independent public corporations; to provide for the disposition of any net revenues of any such independent public corporations to which municipal utilities have been transferred; to provide for the disposition of other properties of prior existing municipalities; to provide for the reapportionment of the districts from which members of the city council are elected; to provide for the effective date of consolidation and the manner of holding elections to determine whether or not the consolidation proposed by this Act shall take effect; to provide for the continuation of the board of education of the city of Birmingham as an independent school district after the effective date of the consolidation and to provide that students residing in the Birmingham School district shall attend public schools therein; to provide that areas within the consolidated city served by the Jefferson County Board of Education prior to consolidation shall continue to be served by the Jefferson County Board of Education and to provide the students

residing within the consolidated city and within the areas served by the Jefferson County School District prior to consolidation shall continue to attend schools owned and operated by the Jefferson County School District; to provide for the continuation of the boards of education and their respective school districts in certain other areas of the consolidated city; to provide for the manner of appointing or electing the members of the school boards governing the several respective school districts (other than the Jefferson County School District), serving areas located within the consolidated city; to provide for the geographic boundaries of the several school districts serving the said areas located within the consolidated city; to provide that the laws in effect immediately prior to the effective date of the consolidation and relating or applicable to any of the said school districts and the said governing bodies, and members, officers and employees of the said school districts shall, with certain exceptions, continue applicable thereto; to confer additional powers on the said school districts and governing bodies, including, but without limitation, the power of the said governing bodies to call, canvass and hold elections on the issuance of general obligation capital outlay bonds and the issuance of such bonds when authorized at an election; to provide for the issuance of refunding bonds without the necessity of authorization at such election; to provide for an ad valorem tax in each of said school districts for public school purposes in each of said districts; to provide for an additional special ad valorem tax in said school districts when necessary to pay the principal of and interest on the general obligation capital outlay bonds of said respective school boards or school districts; to provide for a levy by the governing body of Jefferson County, for the collection by the tax collector of said county, of all such taxes.

Committee on Local Legislation No. 2.

By Mr. Dominick:

S. 456. Proposing an amendment to the Constitution of Alabama pertaining to the consolidation of certain areas of Jefferson County, Alabama, into a single city, and matters relating thereto.

Committee on Local Legislation No. 2.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Lybrand, Clark, Pelham and Fine:

S. 457. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Committee on Insurance.

By Mr. Littleton:

S. 458. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

Committee on Judiciary.

By Messrs. Horne and Register:

S. 459. To provide for the creation of a department of the State to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the organization of a public corporation in the State of Alabama to be known as Alabama Youth Services Board; to designate the officers and members of the board of directors of the Board; to prescribe the powers and duties of the Board; to provide for the transfer of control of residential foster care facilities, juvenile court probation officers, youths, and youth detention facilities; to provide for the appointment of a State Youth Services Director and to prescribe penalties for the violation of this act; to provide court review of the decisions of the Board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical and dental care for youths; to provide for the treatment and disposition of youths in the custody of the Board or the department; and to provide for the dissolution of the Board.

Committee on Finance and Taxation.

By Messrs. Pierce and Jones:

S. 460. To further identify creditable years of service under the State Employees' Retirement System.

Committee on Finance and Taxation.

By Messrs. Pelham and Clark:

S. 461. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

Committee on Finance and Taxation.

By Mr. Harris:

S. 462. To amend Section 65, Title 9, Code of Alabama 1940, as amended, to provide that any charge made or imposed in connection with the loan of money or the extension of credit in conjunction with a retail sale of tangible personal property shall be and constitute interest.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Harris:

S. 463. To further amend Section 2 of Act No. 100, H. 94, Special Session 1959 (Acts 1959, p. 298), the state sales tax act, which section enumerates the persons and property subject to such tax so as to delete therefrom house trailers.

Committee on Commerce, Transportation
and Common Carriers.

POINT OF PERSONAL PRIVILEGE

Mr. Edington stated that had he been present when the vote was taken on the adoption of the Resolution, H. J. R. 10, he would have voted "Aye".

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Fine, King, Malone, Littleton, Owen, Hammond, Foshee, Cooper, O'Bannon, McLain, Lindsey, Horne, Hawkins, Clark, Cook, Noonan, Wilder, Gilmore, Bailes and Harris:

S. 401. To provide that Act No. 217 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, which relates to competitive bidding on contracts of certain public bodies, shall not be applicable to any contracts made by a municipality pursuant to the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Legislature of Alabama, as amended, which relates to the promotion of trade by inducing commercial enterprises to locate in the state and which confers on municipalities having a population not exceeding 100,000 inhabitants, according to the last or any subsequent federal census, powers with respect to the acquisition, leasing and financing of projects suitable for use by certain commercial enterprises.

By Messrs. Foshee, Littleton, Fine, Weaver, Jones, Dozier, Wilder, Cook, Horne, Edington, King, Dominick, Gilmore, Vacca, Hawkins and Bailes:

S. 305. To require the director of finance to vacate certain space in the capitol and designate such space for the use of the legislature within sixty days.

By Mr. Hammond:

S. 16. To regulate the holding of rock festivals, as defined herein, by requiring the posting of a cash bond as security for the payment of any unpaid property damage, fines and additional law enforcement expenses by requiring certification by the State Board of Health that certain health and safety regulations are met and by requiring the payment of all necessary taxes and license fees before a sheriff shall issue a permit therefor; to direct the State Board of Health to promulgate pertinent health and safety regulations; to establish penalties for the failure to comply with the provisions of this act; and for related purposes.

By Messrs. Fine, Lybrand, Harris, O'Bannon, Pelham, Wilson, Malone and Carr:

S. 390. To prescribe a rule to apply in the circuit and inferior courts in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

By Mr. Lindsey:

S. 273. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

By Mr. McLain:

S. 369. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

By Messrs. Vacca and King:

S. 313. To amend Section 210 of Title 13 of the 1940 Code of Alabama, which relates to the appointment, term and removal of registers of circuit courts.

By Mr. Cooper.

S. 371. Proposing an amendment to the Constitution of Alabama providing for granting of adult responsibilities, rights and duties to persons eighteen years of age and older.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Cooper.

S. 57. To provide that the list of registered voters shall be used as the primary source for names to be considered for jury service; to provide a method of determining qualifications of persons considered and for the supplies, clerical help and meeting days necessary to carry out the purposes of the act; amending Sections 18 and 21, Title 30, Code of Alabama, 1958 Recompiled, and repealing all conflicting laws.

By Mr. Clark:

S. 331. To regulate the practice of Landscape Architecture; to provide for the registration of qualified persons as professional Landscape Architects; to create a State Board of Registration for Professional Landscape Architects; to provide for the appointment and compensation of its members; to fix the term of members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish fees with expiration and renewal requirements; to limit the public works that can be constructed by the State and political subdivisions thereof without Landscape Architecture supervision by persons properly registered; and to provide for the enforcement of this Act and penalties for its violation; and to repeal conflicting laws.

By Messrs. Merrill and Burgess:

H. 14. To provide that unemployment insurance fraud investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the provisions of the Unemployment Compensation Law.

By Mr. Cherner:

H. 69. To authorize and make provisions for the organization and incorporation of Airport, Industrial Park, and Airport and Industrial Park Authorities as non-profit public corporations for the promotion of aviation and the development and promotion of industry and commerce in local areas of the State; to provide for the procedure, manner and conditions of organization and incorporation; to provide for the contents, execution and recording of certificates of incorporation; to provide that any such corporation shall be governed by a board of directors and to prescribe the number, terms, and manner of appointment of its members; to prescribe the powers of such Authorities, including the right to exercise the powers of eminent domain and certain zoning powers; to provide for the financing of such Authorities and to require certain local funding as a prerequisite to incorporation; to authorize the issuance of revenue bonds, to specify the provisions thereof, to pledge certain revenues for their retirement and to authorize the refunding of said bonds; to exempt such bonds from all taxation; to provide for cooperation with political subdivisions, public corporations and agencies of this State; to authorize political subdivisions to invest in bonds of the Authority and to make such bonds legal investments for fiduciaries, savings bonds and insurance companies;

to authorize the Authority to accept and expend federal and state moneys or funds from public or private sources for the purposes of this act; to exempt such Authorities from certain restrictions with respect to construction and purchasing contracts and zoning regulations; to require such Authorities to be audited annually; and to provide for the dissolution of any such Authority and the disposition of its property.

By Messrs. Grainger and St. John:

H. 112. To abolish county legislative agents in Alabama, and to repeal conflicting laws.

By Messrs. Lutz and Grainger:

H. 115. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate shall accompany a petition for adoption, and so as to relieve the Department of Pensions and Security of certain responsibilities in relation to stepparent and other relative adoptions, and to amend Act No. 294, page 2351, and Act No. 297, page 2357, Acts of Alabama 1961, to so relieve said Department.

By Mr. Merrill:

H. 467. To amend Section 20, Title 34, of the Code of Alabama 1940, which establishes the grounds for divorce in this state, so as to reduce the time limit for the grounds of voluntary abandonment from one year to six months.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendments):

S. 377. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama, 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama; to change the composition of the Alabama Dairy Commission to be a Commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and The Commissioner of Agriculture and Industries; to invest the Dairy Commission with power to employ services of economists, accountants, and other experts to assist the Commission in carrying out its functions; to invest the Commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to protect producers and producer payrolls from insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the Commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the Commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the State of Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris (with notice and proof):

S. 408. To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barber shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to renew a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

By Mr. Foshee:

S. 429. Relating to counties having populations not less than 34,000 nor more than 34,500, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

By Mr. Givhan (with notice and proof):

S. 430. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

By Messrs. Pierce and Jones:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

By Messrs. Pierce and Jones:

S. 432. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 180,000 people and in which there is an incorporated city having a population of 70,000 people and less than 135,000 people according to the last Federal Census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

By Messrs. Pierce and Jones:

S. 433. To authorize all cities in the State of Alabama having a population exceeding 70,000 and not exceeding 135,000 inhabitants, according to the 1970 or any succeeding regular decennial federal census, or which shall hereafter have such population according to

any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four percentum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

By Messrs. Pierce and Jones:

S. 434. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for city planning and zonings; creating a planning commission for each such city, and prescribing the powers and duties of such a commission.

By Messrs. Pierce and Jones:

S. 435. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 70,000 and not more than 135,000 people, according to the 1970 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

By Messrs. Pierce and Jones:

S. 436. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this state having a population exceeding 150,000 and not exceeding 180,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

By Messrs. Pierce and Jones:

S. 437. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all counties of Alabama, having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 federal census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex-officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged

a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (\$5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex-officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (\$3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

By Messrs. Jones and Pierce:

S. 438. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

By Mr. Pierce:

S. 439. Relating to counties having populations of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; to provide that no fire station shall be used as a polling place in any election.

By Mr. Clark (with notice and proof):

S. 441. Relating to Barbour County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

By Mr. Cooper:

S. 445. To repeal Act No. 106, S. 52, approved September 30, 1965, Special Session 1965 (Acts 1965, p. 144), entitled, "An Act To apply only in counties of the State having populations of not less than 18,000 nor more than 19,400 inhabitants according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of cat-fish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

By Mr. Owen:

S. 447. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that the county commission shall furnish separate office space to the circuit clerk and the register in equity in the courthouse.

By Messrs. Baker and Chesnut (with notice and proof):

H. 214. To provide a secretary for the County Solicitor (Deputy District Attorney, of DeKalb County.

By Mr. Fite (with notice and proof):

H. 227. Relating to Marion County; providing an additional expense allowance for the members of the governing body of said county.

By Mr. Fite:

H. 238. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

By Mr. Perloff et al:

H. 408. To apply in all counties having a population of 300,000 or more, according to the last or any future federal census: to further regulate the probate court in such counties, and to relieve and exempt the probate judge in such counties from personal liability for errors, mistakes and omissions of employees serving under any Merit System Act or Civil Service System.

By Mr. Turnham (with notice and proof):

H. 413. To amend further Act No. 394, H. 828, Regular Session 1961, an Act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

By Mr. Turnham (with notice and proof):

H. 414. To provide for the appointment of the county superintendent of education of Lee County by the county board of education; prescribing his qualifications and providing for his powers, duties and removal; repealing Act No. 266, H. 611, Regular Session 1931, and all other conflicting laws.

By Mr. Turnham:

H. 415. To repeal Act No. 297, H. 513 of the Regular Session of 1965 (Acts 1965, p. 414) entitled "An Act To apply in counties having populations of not less than 49,500 nor more than 50,500; providing for payment of expense allowances for the deputy or county solicitors of such counties from the county treasury."

By Mr. Turnham:

H. 416. To fix the compensation of the sheriffs of all counties having populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to repeal conflicting laws; and to give this Act retroactive effect.

By Mr. Turnham:

H. 417. To amend Act No. 1170, S. 674, 1969 Regular Session (Acts 1969, p. 2179), which regulates further the office of sheriff in the state and prescribes the annual salaries of sheriffs of the several counties classified on a population basis, so as to delete the special provisions therein excepting the salary of sheriffs in those counties having populations of not less than 61,000 nor more than 62,000 from the general provision relative to counties having such populations, and making special provision for the salaries of sheriffs of such counties; and to provide that this amendment shall be retroactive and become effective on January 18, 1971.

By Mr. Perloff et al:

H. 439. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future

federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

By Mr. Straiton et al (with notice and proof):

H. 452. To amend Sections 10 and 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court, in relation to the compensation of the judge of the court, and court costs.

By Messrs. Chesnut and Baker (with notice and proof):

H. 468. Relating to Cherokee County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

By Mr. Wood (with notice and proof):

H. 503. To provide that the laws governing the county-wide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

By Mr. Wood (with notice and proof):

H. 504. Relating to Mobile County; to provide that the presiding judge of the circuit court for Mobile County may authorize sessions of the circuit court and the Mobile County Juvenile Court to be held at any place within the county.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turnham and McBride:

H. 190. To make an appropriation for the purpose of purchasing Free Textbooks for the fiscal year ending September 30, 1971.

By Mr. Wilson:

S. 28. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation for defraying the necessary expenses of the Alabama Commissioners to the National Conference of Commissioners on Uniform State Laws, and providing for a contribution by this State to said Conference.

By Mr. Wilson:

S. 30. To amend Sections 31 and 33 of Title 13, Code of Alabama 1940, as amended, pertaining to the election by the chief justice or any associate justice of the supreme court to become a supernumerary justice, prescribing the conditions for such election, and further prescribing the term of office of supernumerary justices, and the duties, powers, and salaries of such justices.

By Mr. Clark:

S. 175. To amend Section 1 of Act No. 502, S. 56, Regular Session 1967, (Acts 1967, Vol. II p. 1215), which relates to the assessment rate of all taxable property within this state.

By Mr. Clark:

S. 213. Making an appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes in regard to vocational rehabilitation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with substitute):

S. 255. To further provide for supernumerary district attorneys.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 243. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

By Mr. Wilson:

S. 260. To amend Act No. 1122, S. 408, Legislature of 1969, Regular Session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Register, Clark and Horne (with amendment):

S. 216. To make an appropriation to the Tri-Rivers Development Association from the State General Fund.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 318. To amend Section 1 of Act No. 628, page 1082, Acts of Alabama 1951, entitled "An Act to further provide for the issuance

of hunting and fishing licenses. To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

By Mr. Noonan:

S. 333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

By Mr. O'Bannon:

S. 363. To provide a state scholarship program to promote the education of nurses at the School of Nursing of Florence State University; and making appropriations therefor.

By Mr. Clark:

S. 382. Pertaining to the appointment of a Deputy District Attorney for the 26th Judicial Circuit of Alabama and his salary.

By Messrs. Dozier, Foshee, Horne, Clark, Register, Cooper, Wilder, Branyon, Pierce, Shelby, Fine, Lindsey, Harris, Jones, Weaver, McLain, Givhan, Gilmore, Cook, Owen, Edington, Noonan, Hawkins and Bailes:

S. 251. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making appropriations therefor.

By Messrs. Register and Hammond:

S. 389. To provide for the issuance of special personalized prestige license tags to owners of private passenger or pleasure motor vehicles upon which, in lieu of the numbers prescribed by law, shall be inscribed such special letters, numbers or other special marks, emblems, symbols or badges of distinction or personal prestige, or combination thereof, as are approved by the state department of revenue; to prescribe an additional privilege fee for such special personalized tags; to regulate the use of such tags; to provide for the distribution and use of the proceeds derived from additional fees for such personalized tags; and to prescribe penalties.

By Mr. Givhan:

S. 165. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

By Mr. Harris (by request):

S. 23. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court

management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

By Messrs. Malone and Littleton:

S. 38. Relating to taxation; providing sales and use tax exemptions to the Boys Clubs in Alabama which are affiliated with the Boys Clubs of America.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lybrand (with amendment):

S. 40. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making appropriations therefor.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilder:

S. 54. To amend Sections 1, 2, 3, and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

By Messrs. Cooper and Givhan:

S. 59. To provide expense allowance to Judges of the Circuit Court in all Judicial Circuits composed of five or more counties in addition to those expenses now allowed by law.

By Messrs. Edington, Noonan and Pelham:

S. 76. To provide a state scholarship program to promote the education of nurses at the School of Nursing, University of South Alabama; and making appropriations therefor.

By Mr. McLain:

S. 147. To provide a state scholarship program to promote the education of nurses at the Division of Nursing, University of Alabama, Huntsville, Alabama; and making appropriations therefor.

By Mr. Givhan:

S. 162. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

By Mr. Hammond:

S. 188. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

By Mr. Hammond:

S. 203. Further amending Section 1 of Act No. 47, Special Session 1961, Acts 1961, p. 1904) providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations by extending such exemptions to The Elks Memorial Center For The Handicapped.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 62. Resolution commending the Huntsville Association of Technical Societies for sponsoring "A SPACE CONGRESS FOR THE NON-AEROSPACE PUBLIC."

Also:

H. J. R. 59. Mourning the death of Joseph Halbert Leavelle, Jr., and Wiley Ashley Clark III.

Also:

S. J. R. 35. Congratulating Miss Kitty Winn upon being named best actress at the recent International Film Festival in Cannes, France.

Also:

S. J. R. 36. Requesting that the Corps of Army Engineers name the Jones Bluff Lock and Dam Facility for Dr. Robert F. Henry.

Also:

S. J. R. 37. Complimenting Chilton County on its Annual Peach Festival and thanking Senator Obie Littleton for inviting the Legislature.

were again read and, on motion of Mr. Lybrand, were adopted by the Senate.

RESOLUTION

Mr. Lybrand offered the following Senate Resolution, to-wit:

S. R. 38. BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA that subordinate employees of the Senate, other than elected employees, shall be paid in an amount deemed appropriate by the Secretary of the Senate.

On motion of Mr. Lybrand, said Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 450. To provide a procedure for the reduction of the corporate limits of the City of Prichard, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 302. Relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000 according to the most recent federal decennial census; to provide further for the election of the commissioners in such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Clark	Horne	Malone	Shelby	
Cooper	Jones	Noonan	Vacca	
Dominick	King	O'Bannon	Weaver	
Fine	Lindsey	Pelham	Wilder	
Givhan	Littleton			—25

Nays: —0

The Bill:

H. 438. Relating to Mobile County; authorizing the Board of Health of said county to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 378. To provide that the Sheriff of counties having a population of not less than 54,500 nor more than 56,000 according to the 1970 Federal Census, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 510. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Carr	Fine	Lybrand	Pelham	
Clark	Foshee	McLain	Pierce	
Cook	Gilmore	Malone	Register	
Cooper	Hammond	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 490. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Hammond	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 399. To repeal Act No. 237, S. 459, approved August 16, 1967, Regular Session 1967 (Acts 1967, p. 613), entitled, "An Act to apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, au-

thorizing such counties to provide additional compensation for registrars."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Branyon	Foshee	Lindsey	Owen	
Carr	Gilmore	Littleton	Pierce	
Clark	Hammond	Lybrand	Shelby	
Cooper	Hawkins	Malone	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 33. Relating to Covington County, Alabama; creating the office of clerk-secretary to the Judge of the 22nd Judicial Circuit, District Attorney of the 22nd Judicial Circuit, and the Judge of the Intermediate Court of Covington County, Alabama; providing for the appointment of said clerk-secretary; prescribing the duties and authority of said clerk-secretary, and fixing the compensation of said clerk-secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Branyon	Givhan	Lindsey	Pelham	
Carr	Hammond	Littleton	Pierce	
Cook	Harris	McLain	Register	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 55. To set the compensation for jurors serving in the circuit court of Etowah County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Branyon	Fine	Littleton	Shelby	
Carr	Gilmore	Lybrand	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 377. To create an inferior court for Lawrence County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce	
Branyon	Fine	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	O'Bannon	Weaver	
Cook	Hammond	Owen	Wilder	
Cooper	Harris	Pelham	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 403. To provide supernumerary circuit court bailiffs for the Sixth Judicial Circuit of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries:

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Branyon	Givhan	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Weaver	
Fine	King	Pelham	Wilder	
Foshee	Lindsey			—25

Nays:

—0

The Bill:

S. 404. To provide additional compensation for the official Court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Malone	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

MOTION IN WRITING
TO AMEND RULES

Mr. Dominick offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"Notice in writing having been previously given, motion is now made to amend Joint Rule 3 to read as follows:

"3. No local, special, or private bill and no general bill of local application that applies to but one county or municipality shall be introduced in either house unless the same shall have attached thereto one original and two exact copies of the notice and proof of publication required of local legislation by Section 106 of the Constitution."

Which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING
TO AMEND RULES

The Senate proceeded to consideration of the following Motion in Writing:

By Mr. Dominick:

Motion in Writing to amend Joint Rule 4, relative to format of bills.

which said motion and pending Rules Committee Amendment are set out at length in the Journal of the Senate for the Twelfth Legislative Day.

And said amendment was then adopted by the Senate.

And said Motion in Writing relative to Joint Rule 4, as thus amended, was then adopted by the Senate.

Yeas 17; Nays 4.

Yeas:

Messrs.:	Edington	Hawkins	Owen	
Carr	Foshee	Horne	Vacca	
Clark	Gilmore	Littleton	Weaver	
Dominick	Givhan	O'Bannon	Wilder	
Dozier	Hammond			—17

Nays:

Messrs.:				
Cooper	Harris	Lindsey	Pelham	—4

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 280. To further amend Act No. 103, H. 372, Regular Session 1963 (Acts 1963, v. 1, p. 486), an Act fixing the compensation of the Walker County superintendent of education.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 226. Relating to civil remedies and procedure: To provide that in civil cases at law and in equity the jury shall be composed of eight members and three-fourths of the members of a jury may render a lawful verdict in such civil cases.

was taken up.

Mr. Wilson moved that further consideration of the Bill, S. B. 226, be postponed until the next Legislative Day.

Mr. Harris moved as a substitute motion that further consideration of the Bill, S. B. 226, be indefinitely postponed. Mr. Wilson moved that the motion to indefinitely postpone be laid on the table, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Clark	Hammond	Malone	Weaver
Cooper	Horne	Noonan	Wilson
Dominick			

—16

Nays:

Messrs.:	Gilmore	Jones	O'Bannon
Carr	Givhan	Littleton	Pierce
Cook	Harris	Lybrand	Vacca
Dozier	Hawkins	McLain	Wilder
Edington			

—16

The President and Presiding Officer voted "Aye"; therefore, the motion to table prevailed.

The question was then on the motion of Mr. Wilson that further consideration of the Bill, S. B. 226, be postponed until the next Legislative Day, which motion was lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Clark	Horne	Malone	Weaver
Dominick	King	Owen	Wilson
Fine			

—12

Nays:

Messrs.:	Edington	Jones	O'Bannon
Carr	Gilmore	Littleton	Pierce
Cook	Givhan	Lybrand	Vacca
Cooper	Harris	McLain	Wilder
Dozier	Hawkins	Noonan	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 326. Relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal census; to fix compensation and traveling expenses of the Superintendent of Education; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 302. Relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000 according to the most recent federal decennial census; to provide further for the election of the commissioners in such cities.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

RESOLUTIONS

Mr. Branyon offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. CHANGING THE NAME OF ALBERT P. BREWER STATE JUNIOR COLLEGE TO BREWER STATE JUNIOR COLLEGE

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the name of Albert P. Brewer State Junior College be, and the same hereby is, changed to Brewer State Junior College.

BE IT FURTHER RESOLVED That a copy of this resolution be sent by the Secretary of the Senate to the President of Brewer State Junior College, the State Board of Education and the State Superintendent of Education.

On motion of Mr. Branyon, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. WHEREAS, Alabama is a member of the Gulf States Marine Fisheries Commission, and

WHEREAS, the Legislature is entitled to name one of its members as a member of said Commission, and

WHEREAS, there will exist a vacancy on said Commission as of July the first, 1971;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that Senator Robert S. Edington be named as a member to serve for a period of four years and until his successor shall have been elected.

Which was read and referred to the Standing Committee on Rules.

Messrs. O'Bannon, Lybrand, Weaver, Pierce, Jones, Foshee, Wilder, Edington, McLain, Hammond, Lindsey, Cooper, Noonan, Pelham, Register, Givhan, Vacca, King, Malone, Clark, Owen, Carr, Horne, Shelby, Cook, Dominick, Gilmore, Bailes, Hawkins, Harris, Fine and Wilson offered the following Senate Resolution, to-wit:

S. R. 41. WHEREAS, a number of the members of the Senate of the State of Alabama enjoyed the warm, Southern, liquid hospitality of Senator and Mrs. L. L. Dozier, at a quail dinner in Troy, on Tuesday evening last past, and,

WHEREAS, the birds and company were excellent; and

WHEREAS, Spring Lizard performed his services with patience, dexterity and great frequency, and

WHEREAS, despite the absence of lead in the birds consumed, certain Senators there present, including the author of this resolution, experienced some pain and numbness on the occasion of the commencement of this day, and

WHEREAS, the occasion was greatly enjoyed by all present; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, that this body expresses to Senator and Mrs. Dozier its deep appreciation for their many courtesies and kind hospitality.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mrs. L. L. Dozier, Senator L. L. Dozier, and Spring Lizard.

On motion of Mr. O'Bannon, said Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 326. Relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal census; to fix compensation and traveling expenses of the Superintendent of Education; and to repeal conflicting laws.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 10. Ratifying the proposed amendment to the Constitution of the United States granting citizens eighteen years of age or over the right to vote in State elections.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 226

The Senate proceeded to further consideration of the Bill, S. B. 226.

On motion of Mr. Lybrand, further consideration of the Bill, S. B. 226, was postponed until the Eighteenth Legislative Day.

ADJOURNMENT

At 4:03 P. M., on motion of Mr. Fine, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, July 7, 1971, at 2 o'clock P. M.

Yeas 12; Nays 11.

Yeas:

Messrs.:	Gilmore	Hawkins	McLain	
Carr	Givhan	King	Register	
Edington	Hammond	Lindsey	Vacca	
Fine				—12

Nays:

Messrs.:	Dozier	Littleton	Pierce	
Cook	Foshee	Lybrand	Weaver	
Dominick	Jones	Noonan	Wilder	
				—11

FOURTEENTH LEGISLATIVE DAY

WEDNESDAY, JULY 7, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Earl Potts, Director, Church Ministries Division, Baptist State Executive Board, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

PASCHAL P. VACCA,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Vacca, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Clark for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 55. To set the compensation for jurors serving in the circuit court of Etowah County.

Also:

H. 33. Relating to Covington County, Alabama; creating the office of clerk-secretary to the Judge of the 22nd Judicial Circuit, District Attorney of the 22nd Judicial Circuit, and the Judge of the Intermediate Court of Covington County, Alabama; providing for the appointment of said clerk-secretary; prescribing the duties and authority of said clerk-secretary, and fixing the compensation of said clerk-secretary.

Also:

H. 377. To create an inferior court for Lawrence County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

Also:

H. 438. Relating to Mobile County; authorizing the Board of Health of said county to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged.

Also:

H. 450. To provide a procedure for the reduction of the corporate limits of the City of Prichard, Alabama.

Also:

H. 490. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967.

Also:

H. 510. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Fine and Malone:

S. 464. To establish an Alabama Scenic Rivers System; to provide for the selection and maintenance of scenic rivers; to provide for the acquisition of land adjacent to selected scenic river; and to provide for additional powers and duties for the Director of Conservation.

Committee on Conservation.

By Messrs. Fine and Malone:

S. 465. To establish the Alabama Natural Areas Council and to provide for its membership, powers and duties.

Committee on Conservation.

By Messrs. Fine and Malone:

S. 466. To establish an Alabama Trails System; to provide for the identification, reclamation, preservation and protection of such lands of high scenic beauty, historic significance and recreation quality as may be suitable for use in an Alabama Trails System; to establish categories of trails to provide for a Statewide Trails Advisory Committee; to provide for the acquisition of land; and to provide for additional powers and duties for the Director of Conservation.

Committee on Conservation.

By Mr. Wilson:

S. 467. To further amend Section 105, Title 37, Code of Alabama 1940, as amended, which relates to compensation of commissioners in municipalities organized under the optional form of commission government.

Committee on Municipal Government.

By Mr. Wilson:

S. 468. To further amend Section 73, Title 37, Code of Alabama 1940, as amended, which relates to compensation of commissioners in municipalities organized under the commission form of government.

Committee on Municipal Government.

By Mr. Shelby:

S. 469. To amend Section 618 of Title 51 of the Code of Alabama of 1940, as amended, so as to increase the rate of license tax imposed on instruments conveying real or personal property, and to provide for the disposition of the proceeds resulting from said increase.

Committee on Finance and Taxation.

By Messrs. Shelby, McLain, Bailes, King, O'Bannon, Lindsey, Edington, Noonan and Lybrand:

S. 470. To authorize Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at the University of Alabama located in Tuscaloosa for public legal educational and allied purposes, including law research and revision, communications science, public service, continuing legal education, and clinical law training; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and

the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale of the said \$7,500,000 principal amount thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion hereof.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 471. For the relief of Vera Waldrop, making an appropriation of Mental Health Department Funds from the State Treasury to compensate her for personal injuries suffered while she was engaged in the performance of assigned duties as an attendant at Partlow School of the Alabama Mental Health Department.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 472. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Committee on Local Legislation No. 1.

By Messrs. Bailes, Dominick, Vacca, Cook, King, Hawkins and Gilmore:

S. 473. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled: "To provide that any city of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

Committee on Local Legislation No. 2.

By Messrs. Weaver and Pelham:

S. 474. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for noncompliance, all pertaining to the Workmen's Compensation Law.

Committee on Business and Labor.

By Mr. Wilder:

S. 475. To make an appropriation to the Department of Conservation from the State General Fund for a park in Tallapoosa County.

Committee on Finance and Taxation.

By Mr. Cooper (by request):

S. 476. To amend Section 4 of Act No. 577, Regular Session, 1967, as amended, an Act regulating the teaching and practice of Cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology.

Committee on Health.

By Mr. Foshee:

S. 477. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees and certain judicial officers in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing such commission to render advisory opinions relative to the applicability of this act.

Committee on Judiciary.

By Messrs. Pierce and Jones:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members, providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

Committee on Local Legislation No. 1.

By Mr. Pierce:

S. 479. To levy a license on Astrologers practicing their profession for the public.

Committee on Finance and Taxation.

By Mr. Pierce:

S. 480. To amend Section 528, Title 51, Code of Alabama, 1940, as amended, by deleting the word astrologers for the purpose of licensing astrologers under a separate act.

Committee on Finance and Taxation.

By Messrs. Jones, Pierce, Hawkins, Lybrand and Malone:

S. 481. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 482. Defining categories of Medical Laboratory Personnel and the regulation and licensing thereof in the State of Alabama; repealing Sections 151-167, Chapter 8, Title 46, Code of Alabama, 1940.

Committee on Health.

By Messrs. Clark, Register, Pierce and Bailes:

S. 483. To further amend Act 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Committee on Commerce, Transportation
and Common Carriers.

By Messrs. Register and Pelham:

S. 484. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 20 of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

Committee on Business and Labor.

By Mr. Edington:

S. 485. To repeal Act No. 631, S. 556, Regular Session, 1969, (Acts 1969, p. 1157), which relates to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 486. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent Federal decennial census; to provide an expense allowance for the Deputy Sheriffs in all such counties.

Committee on Local Legislation No. 1.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Norman F. Ussery, Robinson Springs, as a member of the State Board of Pardons and Paroles for the term expiring June 30, 1977.

On motion of Mr. Wilder, said appointment of Honorable Norman F. Ussery was confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Lybrand	Pierce
Cook	Hammond	McLain	Register
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Jones		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 254. Relating to counties having populations of not less than 22,250 nor more than 23,000, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Also:

S. 290. To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act.

Also:

S. 359. Relating to counties having a population of not less than 34,875 nor more than 36,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Also:

S. 153. To alter or rearrange the boundary lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

Also:

S. 150. Relating to Etowah County; to provide for the reorganization of the county board of education.

Also:

S. 151. To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

Also:

S. 152. To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brassell, Adams and Turnham:

H. 743. To provide a supplemental allowance for the court reporter of the twenty-sixth judicial circuit and to provide for the payment thereof from the general fund of the county within said circuits.

Also:

By Messrs. Agee and McCorquodale:

H. 724. To amend the title and Section 1 of Act No. 83, H. 114, Regular Session 1963 (Acts 1963, p. 463), which Act provides further for the payment of an expense allowance to the county superintendent of education in certain counties classified on a population basis.

Also:

By Messrs. McDonald, St. John and Drake:

H. 728. Relating to Marshall County; authorizing any city board of education in said county to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; authorizing any city board of education in said county to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of any city or incorporated municipality in Marshall County is hereby authorized to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied in said county for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of law which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 15, April 22, April 29, and May 6, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me May 20, 1971.

MARTHA JANE SAYLOR,
Notary Public.

Also:

By Messrs. McDonald, St. John and Drake:

H. 729. Relating to Marshall County; providing that no fee shall be charged or collected by any public official for the assessment or

collection of ad valorem taxes levied in said county for public school purposes, nor shall any percentage of the proceeds of such tax be retained by any public official or by the county to cover the cost of assessment or collection; providing for the proceeds of all school taxes to be paid to the treasurers of the county and city school systems in Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; Providing that no fee shall be charged or collected by any public official for the assessment or collection of ad valorem taxes levied in said county for public school purposes, nor shall any percentage of the proceeds of such tax be retained by any public official or by the county to cover the cost of assessment or collection; providing for the proceeds of all school taxes to treasurers of the county and city school systems in Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. No fee shall be charged or collected in Marshall County by any public official for the assessment or collection of ad valorem taxes levied in said county for public school purposes and no percentage of the proceeds of any such tax shall be retained by any public official or by the county to cover the cost of assessment or collection. The proceeds of all ad valorem taxes levied in Marshall County for school purposes shall upon collection be paid over to the treasurers of the county and city school systems to receive said taxes.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, April 15, April 22, and April 29, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me May 20, 1971.

MARTHA JANE SAYLOR,
Notary Public.

Also:

By Messrs. Brassell, Adams and Turnham:

H. 742. Relating to counties having populations of not less than 42,000 nor more than 49,500, according to the most recent federal decennial census; to provide for the payment of an expense allowance to the judge of the juvenile court in any such county.

Also:

By Messrs. Adams, Brassell and Turnham:

H. 744. Relating to counties having populations of not less than 42,000 and not more than 49,500; to provide additional compensation to the chief clerks or deputies of the tax assessor and tax collectors in such counties.

Also:

By Messrs. Adams, Brassell and Turnham:

H. 745. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide an expense allowance for the coroners in such counties.

Also:

By Messrs. Adams, Brassell and Turnham:

H. 746. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide for the appointment of a part time probation officer for the juvenile court in such counties and to prescribe his qualifications, powers, duties and compensation.

Also:

By Mr. Reid (R):

H. 758. To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate one or more branch banks, offices or places of business in said County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate one or more branch banks, offices or places of business in said County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated in Blount County, Alabama, or having a branch or authorized office or place of business in said County may, with the approval of the Superintendent of Banks, establish, maintain and operate one or more branch banks, offices or places of business in said County.

Section 2. This Act shall take effect immediately upon its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 4, March 11, March 18, and March 25, all in the year 1971.

MRS. R. M. HOWARD.

Sworn to and subscribed before me March 25, 1971.

JANE HILL,
Notary Public.

Also:

By Messrs. Warren and Mims:

H. 768. To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other allowances and compensation now provided by law, there shall be paid to the judge of the Thirty-fifth Judicial Circuit of Alabama, in equal monthly installments, an allowance of two thousand dollars (\$2,000) per annum, for the purpose of defraying the expenses of such judge in the performance of his official duties. The allowance provided for herein shall be paid from the general funds of the counties composing the circuit on a pro rata basis calculated upon the assessed value of taxable property in the counties of the circuit for the previous fiscal year, as shown by the records of the tax assessors' offices, in such manner that each county shall pay such proportion of said expense allowance as the assessed value of the property in the county bears to the total assessed value of all property within the counties composing the judicial circuit.

Section 2. This act is cumulative and does not supersede or repeal any other law, general, special or local.

Section 3. This act shall take effect on the first day of the first succeeding month after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 17, 1971.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other allowances and compensation no provided by law, there shall be paid to the judge of the Thirty-fifth Judicial Circuit of Alabama, in equal monthly installments, an allowance of two thousand dollars (\$2,000.00) per annum, for the purpose of defraying the expenses of such judge in the performance of his official duties. The allowance provided for herein shall be paid from the general funds of the counties composing the circuit on a pro rata basis calculated upon the assessed value of taxable property in the counties of the circuit for the previous fiscal year, as shown by the records of the tax assessors' offices, in such manner that each county shall pay such proportion of said expense allowance as the assessed value of the property in the county bears to the total assessed value of all property within the counties composing the judicial circuit.

Section 2. This act is cumulative and does not supersede or repeal any other law, general, special or local.

Section 3. This act shall take effect on the first day of the first succeeding month after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

BILL STEWART,

Sworn to and subscribed before me June 17, 1971.

FRANCES REID NETTLES,
Notary Public,
Adv. Mgr.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 743, 724, 728, 729, 742, 744, 745, 746, 758 and 768. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lang:

H. 779. To provide clerical assistants to the judge of probate of Greene County and to provide that their compensation shall be paid out of the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide clerical assistants to the judge of probate of Greene County and to provide that their compensation shall be paid out of the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Greene County may employ such clerical assistants as he may deem necessary for the efficient performance of the duties required of his office, and he shall fix the compensation of such assistants, which shall be payable from the county treasury. The total amount of such compensation shall not exceed twelve thousand dollars (\$12,000) per annum.

Section 2. All laws or parts of laws, general, local or special, in conflict herewith are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, known to me, who, upon being first duly sworn by me, deposed and said that during the times herein mentioned he was the Publisher of the Greene County Democrat, a newspaper of general circulation published and printed in Greene County, Alabama, and that the attached and foregoing notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on the 27th day of May, and the 3rd, 10th and 17th days of June, all in 1971.

RICHARD K. MARTIN.

Sworn to and subscribed before me this 17th day of June, 1971.

RALPH R. BANKS, JR.,
Notary Public.

Also:

By Messrs. Carter and Cross:

H. 798. Relating to counties having a population of not less than 39,500 nor more than 41,750, authorizing the county governing body to create the position of county consultant, prescribing the qualifications for said office and authorizing the county to furnish said county consultant with an office in the county courthouse.

Also:

By Mr. Smith (P):

H. 826. To repeal Act No. 115, H. 141, Special Session 1967, approved May 5, 1967, entitled "An Act To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area, applying only to counties having a population of 65,000 to 95,000."

Also:

By Mr. Smith (P):

H. 827. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Talladega County shall be made.

Also:

By Mr. Fite:

H. 842. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,600 nor more than 16,950, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

By Messrs. Meeks, Boles, Jones (E), Wallace and Gafford:

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROBATE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

Also:

By Messrs. Meeks, Falkenburg, Cherner, Parker (H), Dill, Weeks, Jones (E), Waggoner, Ellis, Boutwell, Wallace and Gafford:

H. 537. To authorize the county governing body of all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census to provide for the appointment of a County Pardon and Parole Board; to provide for the conditional release of county prisoners; to provide for the return to the County

Jail of any prisoner who violates the condition of his release; and repeal all conflicting laws.

Also:

By Messrs. Timmons, Parker (H) and Jones (E):

H. 543. To apply in all counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal decennial census and to authorize the County Board of Health in all such counties to solicit, receive and hold gifts, grants, devises and bequests of money, real estate and any other thing of value and to use County Board of Health funds to match or supplement any such gifts, grants, devises and bequests of money, real estate or any other thing of value to carry out the purpose or purposes for which any such gift, grant, devise or bequest of money, real estate or other thing of value was given or granted; to further authorize said Board to purchase any real or personal property needed to carry out the functions of said Board.

Also:

By Messrs. Boutwell, Doss, Weeks, McBride, Cherner, Dill, Wallace, Parker (H), Boles, Bowers, Gloor, Jones (E), Waggoner and Ellis:

H. 683. To permit persons to make returns of taxable property, whether real or personal, by mail in those counties where Section 80, Title 51, Code of Alabama of 1940, as amended, is now, or is hereafter, in effect.

Also:

By Mr. Headley:

H. 776. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Chilton County may appoint a total of seven deputies, including a chief deputy and an assistant chief deputy who shall serve at the pleasure of the sheriff and shall perform such duties as the sheriff may direct. Before entering upon their duties all

such deputies shall make bond payable to the sheriff in the sum of \$2,000 conditional as required by Code of Alabama 1940, Title 41, Section 35.

Section 2. The salaries of all deputies shall be fixed by the county governing body and paid in equal monthly installments from the general fund of Chilton County, or may be paid, in whole or in part, from the county highway and traffic fund at the direction of said county governing body. The chief deputy shall receive not less than \$7,800.00 nor more than \$8,400.00 per year; the assistant chief deputy shall receive not less than \$6,000.00 nor more than \$7,200.00 per year; and all other regular deputies receive not less than \$6,000.00 nor more than \$6,600.00 per annum.

Section 3. The county governing body shall provide the sheriff with such quarters, equipment, supplies, and clerical help as deemed necessary for the sheriff to efficiently and properly conduct the duties and affairs of his office. The sheriff shall also be entitled to an expense allowance of \$1,200.00 per annum, and when his personal automobile is used in the performance of sheriff's duties, he shall be paid ten cents per mile for each mile travelled in the performance of such duties.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed, and Act No. 105, H. 224 Regular Session 1967 (Acts 1967, p. 444) is hereby expressly repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

T. E. WYETT.

Sworn to and subscribed before me June 17, 1971.

FRANCIS W. SPEARS,
Notary Public.

Also:

By Messrs. Bowers, Boutwell, Jones (E), Meeks, Boles, Ellis, Erdreich, Waggoner, Adwell, Doss, Gafford, Parker (H), Weeks, Dill, Wallace, Timmons, Cherner, Gloor, and McBride:

H. 783. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuits Judges in counties

of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerk;

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 779, 798, 826, 827, 842 and 776. To the Committee on Local Legislation No. 1.

H. B.'s 537, 543, 683 and 783. To the Committee on Local Legislation No. 2.

H. B. 533. To the Committee on Judiciary.

(The above Bill, H. B. 827, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Agee and McCorquodale:

H. 713. To amend the title and Section 1 of Act No. 46, H. 69, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for a clerk-hire allowance for certain officers in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 714. To amend the title and Section 1 of Act No. 30, S. 15, Special Session 1962 (Acts 1962, p. 41), which Act provides further for the appointment of a deputy sheriff in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 715. To amend the title and Section 1 of Act No. 100, H. 303, Regular Session 1963 (Acts 1963, p. 484), which Act provides further for the salary or compensation of school bus drivers in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 716. To amend the title and Section 1 of Act No. 85, H. 116, Regular Session 1963 (Acts 1963, p. 464), which Act prescribes the amount of the official bond required of the tax collector in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 717. To amend the title and Section 1 of Act No. 153, H. 541, Regular Session 1965 (Acts 1965, p. 218), which Act provides an expense allowance for members of the board of education in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 718. To amend the title and Section 1 of Act No. 254, H. 763, Regular Session 1969 (Acts 1969, p. 586), which Act provides further for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 719. To amend the title and Sections 1 and 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the compensation of members on the county board of education in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 720. To amend the title and Section 1 of Act No. 387, H. 969, Regular Session 1969 (Acts 1969, p. 764), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 721. To amend the title and Section 1 of Act No. 603, H. 689, Regular Session 1967 (Acts 1967, p. 1393), which Act provides further for the compensation of the chairman and members of the court of county commissioners of certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 722. To amend the title and Section 1 of Act No. 436, H. 952, Regular Session 1963 (Acts 1963, p. 967), which Act levies a tobacco tax in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 723. To amend the title and Section 1 of Act No. 84, H. 115, Regular Session 1963 (Acts 1963, p. 464), which Act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 713, 714, 715, 716, 717, 718, 719, 720, 721, 722 and 723. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John and Drake:

H. 219. To provide clerical assistance for the District Attorneys of circuits composed of one county having a population of not less than 50,000 nor more than 52,500.

Also:

By Messrs. Drake, McDonald and St. John:

H. 523. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Also:

By Messrs. Agee and McCorquodale:

H. 705. To amend the title and Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), which Act provides further for an expense allowance for members of the governing body of certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 706. To amend the title and Section 1 of Act No. 125, H. 228, Special Session 1966 (Acts 1966, p. 160), which Act re-designates the office of county or deputy solicitor as the office of assistant district attorney in certain counties classified on a population basis.

Also:

By Messrs. Drake, McDonald and St. John:

H. 522. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

Also:

By Messrs. Agee and McCorquodale:

H. 707. To amend the title and Section 1 of Act No. 86, H. 117, Regular Session 1963 (Acts 1963, p. 465), which Act provides further for an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 708. To amend the title and Section 1 of Act No. 482, H. 873, Regular Session 1961 (Acts 1961, p. 542), which Act provides further for forest protection districts in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 709. To amend the title and Section 1 of Act No. 32, S. 17, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the employment for a deputy clerk in the office of clerk of the circuit court in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 710. To amend the title and Section 1 of Act No. 343, H. 857, Regular Session 1963 (Acts 1963, p. 834), which Act provides for the appropriation of county funds to municipal industrial development boards within or without certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 711. To amend the title and Section 1 of Act No. 33, S. 18, Special Session 1962 (Acts 1962, p. 43), which Act provides further for the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 712. To amend the title and Section 1 of Act No. 45, H. 68, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for the compensation and allowance of certain election officers in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 219, 523, 705, 706, 522, 707, 708, 709, 710, 711 and 712. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Headley and Stubbs:

H. 200. To allow certain County Engineers, who have heretofore participated in the Employees Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

Also:

By Mr. Casey:

H. 767. To provide further for the payment of an expense allowance to the members of the Tax Equalization Board in counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census.

Also:

By Mr. Headley:

H. 847. To amend Section 13 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505), which act established the Board of Revenue and Control of Chilton County by eliminating the requirement for publication of minutes of the meetings of said Board.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 13 of Act No. 872, H. 118, Regular Session 1951 (Acts 1951, p. 1505), which act established the Board of Revenue and Control of Chilton County by eliminating the requirement for publication of minutes of the meetings of said Board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 13 of Act No. 872, H. 1118, Regular Session 1951, (Acts 1951, p. 1505) is hereby amended to read as follows:

"Section 13. The Board shall employ a clerk, who shall devote his entire time to the duties of his office, and he shall receive such compensation for his services as may be determined and fixed by the Board, and the Board may employ such other clerical help and assistants as may be deemed necessary for the proper, efficient and economical operation of the Board. The clerk shall enter the minutes of all proceedings of the Board in a well bound book provided him for that purpose, which book shall be kept in the office of the Board and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the Board shall be entered and recorded in the minute book within ten days from the adjournment of every regular or special meeting. The clerk shall have the minutes of each meeting reproduced within ten days after such meeting and place a sufficient number of copies thereof in a conspicuous place in the office of the Probate Judge for public distribution and shall also post a copy thereof in a conspicuous place in the courthouse. The clerk shall present to the Board at each regular meeting a list of all claims which have been filed against the county. He shall also keep a complete record of all receipts and disbursements of all county funds and

must be prepared at all times to show the exact financial condition of the county."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

T. E. WYATT,
Publisher.

Sworn to and subscribed before me June 22nd, 1971.

JOE G. BURNETT,
Notary Public.

Also:

By Mr. Headley:

H. 848. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Sec. 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session,

pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved, August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the State Department of Revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.)

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 11 of ct No. 471 (Acts of Alabama, 1959 Regular Session, pages 1170, et seq) entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959 effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the State Department of Revenue and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.), be and the same hereby is amended to read as follows:

"Section 11. The levy of taxes herein made shall terminate on September 30, 1995. When the levy of the taxes herein made terminates as provided herein, all the provisions of this Act pertaining to the payment and collection of taxes herein levied the making of reports and maintaining of records with respect thereto and in general the enforcement of this Act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to such termination date."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

T. E. WYATT,
Publisher.

Sworn to and subscribed before me June 22nd, 1971.

JOE G. BURNETT,
Notary Public.

Also:

By Mr. Williams:

H. 853. To provide for the appointment of the Clerk of the County Commission of Jackson County and other clerical assistance deemed necessary by the Chairman of the County Commission; to provide for the fixing of the compensation of such clerk and clerical assistance by the County Commission; and to repeal all laws, general, local or special, in conflict with the provisions of this act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of the Clerk of the County Commission of Jackson County and other clerical assistance deemed necessary by the Chairman of the County Commission; to provide for the fixing of the compensation of such clerk and clerical assistance by the County Commission; and to repeal all laws, general, local or special, in conflict with the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chairman of the County Commission of Jackson County shall be authorized to appoint the Clerk of the County Commission and such other clerical assistance as he may deem necessary.

Section 2. The compensation of the Clerk of the County Commission of Jackson County and such other clerical assistance shall be fixed by the County Commission and all such compensation shall be payable by warrants drawn by the Chairman upon the general funds of the county.

Section 3. All laws, general, special or local, in conflict with the provisions of this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hollice Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Jackson County Advertiser, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, 18, 25, and May 2, all in the year 1971.

HOLLICE SMITH.

Sworn to and subscribed before me May 3, 1971.

E. A. PATTY,
Notary Public.

My Commission Expires April 2, 1973.

Also:

By Mr. Williams:

H. 854. Relating to counties having populations of not less than 38,100 nor more than 40,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Mr. Lang:

H. 849. Relating to counties having populations of 10,660 or less; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Messrs. Bassett and Hardin:

H. 872. Relating to Pike County; to authorize the Court of County Commissioners of Pike County to provide a Deputy Tax Assessor, a Deputy Tax Collector, a Deputy Circuit Clerk, a Probate Clerk, and a Secretary for the Inferior Court of Pike County; and to provide for their appointment, duties and compensation; to repeal Act No. 259, Regular Session 1951 as amended; Act No. 258, Regular Session 1951 as amended; Act No. 148, Regular Session 1955 as amended; Act No. 332, Regular Session 1961 as amended and all laws and parts of laws in conflict with the provisions hereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made:

A BILL TO BE ENTITLED AN ACT

Relating to Pike County; to authorize the Court of County Commissioners of Pike County to provide a Deputy Tax Assessor, a Deputy Tax Collector, a Deputy Circuit Clerk, a Probate Clerk, and a Secretary for the Inferior Court of Pike County; and to provide for their appointment, duties and compensation; to repeal Act No. 259, Regular Session 1951 as amended; Act No. 148, Regular Session 1955 as amended; Act No. 332, Regular Session 1961 as amended and all laws and parts of laws in conflict with the provisions hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Pike County is hereby authorized to provide a Deputy Tax Assessor for said County to be appointed by and to hold office at the pleasure of the Tax Assessor; a Deputy Tax Collector to be appointed by and to hold office at the pleasure of the Tax Collector; a Deputy Clerk of the Circuit Court to be appointed by and to hold office at the pleasure of the Clerk of the Circuit Court; a Probate Clerk to be appointed by and to hold office at the pleasure of the Judge of Probate, and a Secretary to the Inferior Court of Pike County to be appointed by and to hold office at the pleasure of the Judge of the Inferior Court of Pike County.

Section 2. The Deputy Tax Assessor, the Deputy Tax Collector, the Deputy Clerk of the Circuit Court, the Probate Clerk and the Secretary of the Inferior Court shall each receive a salary to be fixed by the Court of County Commission not to exceed Three Thousand Dollars (\$3,000.00) per annum payable in equal monthly installments from the general fund of the County.

Section 3. Act No. 259, Regular Session 1951, as amended, Act No. 258, Regular Session 1951 as amended, Act No. 148, Regular Session 1955 as amended, Act. No. 332, Regular Session 1961 as amended, and all laws and parts of laws in conflict with the provisions hereof are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Phyllis Bryan, a Notary Public in and for said State and County, personally appeared Don Thrasher, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill To Be Entitled An Act was published in said newspaper 4 times, the same appearing in the issues dated: May 28, June 4, 11, 14.

DON THRASHER, JR.,
Bus. Mgr.

Sworn to and subscribed before me this the 23rd day of June, 1971.

PHYLLIS BRYAN,
Notary Public,
Pike County, Alabama.

Also:

By Messrs. Bassett and Hardin:

H. 873. Relating to Pike County: to provide for the payment of an expense allowance to members, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide for the payment of an expense allowance to members, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners

Be It Enacted by the Legislature of Alabama:

Section 1. Each member, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners of Pike County shall

be paid for traveling expenses in inspecting the work of maintenance, upkeep and repairing the public roads and bridges the sum of \$250.00 per month for mileage and cost of transportation in performing such services, to be paid on warrants drawn by the County Treasurer out of the Gasoline Tax Fund.

Section 2. All laws or parts of laws which conflict with this act are, to the extent of such conflict, repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA PIKE COUNTY

Before me, Phyllis Bryan, a Notary Public in and for said State and County, personally appeared Don Thrasher, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice, A Bill To Be Entitled An Act, was published in said newspaper 4 times, the same appearing in the issues dated: March 12, 19, 26, 29.

DON E. THRASHER,
Bus. Mgr.

Sworn to and subscribed before me this the 14th day of May, 1971.

PHYLLIS BRYAN,
Notary Public,
Pike County, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 767, 847, 848, 853, 854, 849, 872 and 873. To the Committee on Local Legislation No. 1.

H. B. 200. To the Committee on County Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grainger:

H. 110. To provide for the conviction of persons over 18 years of age who wilfully cause pain or injury to a child under 16 years of age and to provide the punishment for such crime.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 110. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Erdreich, Parker (H), Carnes and Stewart:

H. J. R. 68. WHEREAS, the United States Department of Treasury, at the request of President Nixon, has put into effect a tax reduction for corporations, estimated to lower their taxes by \$3.9 billion annually, and

WHEREAS, this tax decrease was done without Congressional approval, and without any reduction in the tax burden of the average citizen, indicating a disregard for the severe tax burden of the citizens, and

WHEREAS, this action displays continued favoritism by the President for the economic advantage of large businesses and corporations, while the well-being of the average citizen is neglected, and

WHEREAS, the rapid inflation of the past few years continues, virtually unabated, to further injure the economic condition of the citizens of this state,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we believe that the tax reduction granted to businesses by the Administration of President Nixon is patently discriminatory, and demonstrates a disregard for the severe tax burden suffered by the people of this state and throughout the country, and we deplore such unequitable tax reduction and urge the Congress to do all in its power to correct this situation and prevent continued discriminatory tax treatment of the citizenry, and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, and to the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 68, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Roberts:

H. J. R. 75. WHEREAS, Health care is recognized as a right of all citizens of the State of Alabama, and

WHEREAS, Many plans have been proposed at the national level to make health care available to all people, and

WHEREAS, There is an apparent need for innovative approaches to assure this right of health care to all citizens as economically as possible, and such innovative approaches should be considered in (1) entry into the health care system, (2) the delivery of health care services, (3) adequate supply of trained manpower, (4) financing and (5) consumer health education, and

WHEREAS, Governor George C. Wallace of the State of Alabama has pledged to the people of the State support for a program to provide health care, and

WHEREAS, It is the belief of the Legislature of Alabama that in making provision for health care every possible measure should be taken to promulgate the essential elements of a quality health system, and

WHEREAS, The development of a plan for the delivery of health care should require the thoughtful study and consideration of the best qualified people, representing both those concerned as providers and those who are the consumers, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we recognize the need for immediate action in the development of a health care plan for the citizens of this state and do hereby respectfully urge the Honorable George C. Wallace, Governor of the State of Alabama, to act immediately to establish a health care study commission to consider and make recommendations on a health care program for the State that will assure the citizens of this State the care to which they are entitled, and, further, we the members of both Houses of the Legislature do hereby pledge to the Governor our support in developing such a health care program.

BE IT FURTHER RESOLVED, That any commission created should seek to promulgate the essential elements of a quality system but at the same time make provisions for (1) entry into the health care system, (2) the delivery of health care services, (3) adequate supply of trained manpower, (4) financing and (5) consumer health education, and

BE IT FURTHER RESOLVED, That the commission should be composed of representatives of government, representatives of the public and representatives of the primary institutions and professions dedicated to the delivery of health care services and to the training of health care manpower and, further, that the commission should be charged with the responsibility of reporting both to the Governor and to the Legislature of the State of Alabama its findings and its recommendations.

BE IT FURTHER RESOLVED, That the commission should be a continuing body whose members serve staggered terms, to be designated in the formal organization of the commission, and that it should be charged with the responsibility of effectively utilizing existing agencies and organizations in carrying out its study and in making its recommendations,

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted forthwith to the Governor for his consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 75, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Kinsey:

H. J. R. 66. WHEREAS, there is a continuing need for outdoor recreational facilities for the people of Alabama, and

WHEREAS, during recent months large segments of our public fishing waters have been determined unsafe for sport and commercial fishing, thereby depriving thousands of citizens the opportunity to enjoy the sport of fishing, and

WHEREAS, the loss of fishing to these people was brought about as a result of industrial pollution, and

WHEREAS, there exists an opportunity for partial replacement of this lost fishing opportunity through action of one of our major industries,

NOW, THEREFORE, BE IT RESOLVED, That the Legislature of the State of Alabama, Both Houses Concurring, does hereby request of the United States Steel Corporation to make its large lake located on lands owned by it in Baldwin County, Alabama, available to reasonable use by the public which has been deprived of fishing resulting from excessive industrial pollution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 66, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 73. AUTHORIZING TWO MEMBERS FROM BOTH THE HOUSE AND SENATE COMMITTEES ON INSURANCE TO ATTEND THE NATIONAL NO-FAULT CONFERENCE IN DALLAS, TEXAS

WHEREAS "no-fault" insurance is one of the major problems pending before this Legislature; and

WHEREAS a "National No-Fault Conference" will be held in Dallas, Texas, on July 22-23, 1971; and

WHEREAS it would be of great benefit to the House and Senate Committees on Insurance for certain of their members to attend said conference and report back with their findings; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Chairman of both the House and the Senate Committees on Insurance may appoint two members from each committee to attend the "National No-Fault Conference" in Dallas, Texas, during the month of July, 1971.

BE IT FURTHER RESOLVED That all reasonable and necessary expenses incurred by said members in attending said conference will be paid out of any funds appropriated to the use of this Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 73, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Headley:

H. J. R. 67. Commending Mr. Frank Basil Clark, National President of the Possum Growers and Breeders Association of America for focusing National attention on Chilton County and Alabama.

Also:

By Messrs. Merrill, Mathews, Stewart and Burgess:

H. J. R. 71. COMMENDING MISS CEIL JENKINS FOR BEING NAMED MISS ALABAMA AND EXTENDING AN INVITATION TO VISIT THE LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 67 and 71, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie and Casey:

H. J. R. 69. MOURNING THE DEATH OF FRANK WAKEFIELD, BUDGET EXAMINER.

WHEREAS Frank Wakefield, budget examiner for the State of Alabama, died Saturday, June 26, after a brief illness; and

WHEREAS Frank Wakefield's zealous services to the State and to both Houses of this body have earned him the respect and admiration of members of both the Legislative and Executive branches of state government; and

WHEREAS his knowledge, skill, and ability have made him an invaluable public servant and one whose presence will be sorely missed by administrators and legislators alike, in the struggle to resolve the state's financial problems; and

WHEREAS Frank Wakefield's long and loving labours in Masonic and Shrine activities have earned him many awards and honors and, at the last, the ultimate ritual, devotedly administered by his beloved brethren; and

WHEREAS Frank Wakefield's warm and friendly personality endeared him to his many friends on all levels here at the Capitol, who will all be richer for having known him; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply mourns the untimely passing of our friend Frank Wakefield, and extends its deepest and most heartfelt sympathy to his widow, Ann Wakefield, and all members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Ann Wakefield.

BE IT FURTHER RESOLVED, That a copy be sent to Alcazar Temple to be posted there in remembrance of Frank Wakefield.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 69, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Burgess, Wynot, Merrill and Stewart:

H. J. R. 63. MOURNING THE DEATH OF J. M. WOODS, AN OUTSTANDING CITIZEN OF CALHOUN COUNTY, ALABAMA.

Also:

By Messrs. Turnham and Drake:

H. J. R. 64. COMMENDING HERMAN T. PRUETT FOR HIS OUTSTANDING CONTRIBUTIONS TO THE PEOPLE OF THE STATE OF ALABAMA.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger.

H. J. R. 65. Congratulating and commending the Lee High School baseball teams on winning the State 3A-4A Championship.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 63, 64 and 65, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Gafford, Meeks, Waggoner, Boutwell, Weeks, Parker (H), Crowe, Doss, Erdreich, Timmons, Dill, Jones (E), Falkenburg, Adwell, Bank, Lyons, Collins, Culver and Wallace:

H. J. R. 72. MOURNING THE DEATH OF MR. JOHN A. "BUCK" JENKINS

WHEREAS death came to Mr. John A. "Buck" Jenkins on August 18, 1970 in Miami Beach Florida while he was attending the seventy first V. F. W. National Convention; and

WHEREAS Mr. Jenkins was born in Geneva, Alabama. He attended Marion Institute, Washington and Lee University and Birmingham-Southern College. He "read" law privately and was admitted to the Bar in 1932; and

WHEREAS Mr. John A. "Buck" Jenkins was a former Alabama State Commander of the Veterans of Foreign Wars and the only Alabamian ever elected as National Commander in Chief of that organization; and

WHEREAS Mr. Jenkins served as special advisor in veterans affairs to the President of the United States in 1965, and in cooperation with the Department of Defense, he toured the Far East, conferring with Generalissimo and Madam Kai-shek, and the Premiers of Indonesia, Singapore and South Viet Nam. Upon his return he conferred with President Johnson on the Viet Nam situation; and

WHEREAS Mr. Jenkin's civic activities were many and varied, he served as President of the Alabama Tuberculosis Association and at the time of his death was Chairman of the Alabama Clean Air Committee and Vice-Chairman of the Alabama Air Pollution Control Commission; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby express our sorrow on the death of Mr. John "Buck" Jenkins and we extend our heartfelt sympathy to his widow, Louise, his two daughters, and his son.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 72, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Reynolds:

H. J. R. 70. TO NAME A BRIDGE IN COLBERT COUNTY "LURLEEN-BUZZARD ROOST CREEK BRIDGE"

WHEREAS the name of the late Governor Lurleen Burns Wallace has come to symbolize to the people of Alabama, the United States, and the World, the virtues of courage, fortitude, devotion to duty, and concern for the underprivileged; and

WHEREAS the late Governor Lurleen Burns Wallace has aroused great admiration among the men and women of Alabama and the nation because of her capable leadership of this great State and her outstanding contributions to humanitarian pursuits; and

WHEREAS her untimely death caused great sorrow among all the people of Alabama and although her name will always be enscribed upon the hearts of those who loved beauty and courage, it is as a remembrance of her and a token of our affection for her, that we leave this memorial; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the bridge at White Pike Road over Buzzard Roost Creek located five miles south of Cherokee, Alabama in Colbert County, shall be henceforth known as the "Lurleen-Buzzard Roost Creek Bridge."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution H. J. R. 70, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. King, Hearn, Culver, Hale, Grainger, Lutz, Ellis, Jones (F), Harris, Straiton, Taylor, Reed (T), Coshatt, Adams, Agee, Baker, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Crowe, Dill, Doss, Downing, Drake, Easters, Edwards, Erdreich, Falkenburg, Fite, Flipppo, Gafford, Gloor, Goodwin, Gray (F), Grey (D), Hardin, Headley, Hill, Jackson, Jones (E), Kinsey, Lang, Lyons, McBride, McCorkquodale, McDonald, Manley, Mathews, Meeks, Merrill, Mims, Naramore, O'Daniel, Owens, Parker (H), Pruitt, Reid (R), Reynolds,

Roberts, Smith (K), Smith (P), Stewart, Stokes, Therrell, Timmons, Turner, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, and Wynot:

**H. J. R. 74. COMMENDING REPRESENTATIVE WALKER HOB-
BIE UPON BEING HONORED BY THE NATIONAL FRATERNAL
ORDER OF POLICE**

WHEREAS our good friend and esteemed colleague, Representative Walker Hobbie of Montgomery, has been selected by the National Fraternal Order of Police in third place as best friend of policemen in the country; and

WHEREAS Representative Hobbie was selected from more than one hundred entries and sixty-seven finalists after several ballots were taken, which showed newspaper columnist and radio and television commentator, Paul Harvey, and Philadelphia Judge Leo Weinrott tied for first place; and

WHEREAS Representative Hobbie finished in the balloting ahead of many notable nominees such as Senator Harry Byrd, Jr., of Virginia, numerous legislators from various states and several judges and attorneys general; and

WHEREAS Representative Hobbie's selection came as a result of his diligent and effective legislative efforts in behalf of Alabama policemen and his dedication to the cause of law enforcement; and

WHEREAS Representative Hobbie will accept his award at the national convention of Fraternal Order of Police in Phoenix, Arizona during the week of August 8-12; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend Representative Hobbie for the high recognition which he has received from the Fraternal Order of Police and which he so richly deserves. We extend to him every best wish for a most enjoyable and informative trip to Arizona to receive this award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the National Fraternal Order of Police and to Mr. Robert Bryant of Montgomery, President of the Alabama Fraternal Order of Police, and to the Montgomery Advertiser and Alabama Journal.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 74, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McCorquodale:

H. J. R. 79. WHEREAS, it is provided in Act No. 51 of the 1947 Legislature that one member of the Gulf States Marine Fisheries Commission created by the Gulf States Marine Fisheries Compact

should be from time to time elected by the Legislature of Alabama from its members;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Representative H. L. Callahan of Mobile County be elected and designated by the Legislature of Alabama to serve as a Commissioner on the said Gulf States Marine Fisheries Commission, as provided for in said Act No. 51 of the 1947 Legislature, for a period of four (4) years from the first day of October, next, and until his successor shall have been elected.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 79, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McDonald, Drake and St. John:

H. J. R. 84. DECLARING THE WEEK OF JULY 11-17 ALABAMA POULTRY PRODUCTS WEEK

WHEREAS the poultry industry is Alabama's largest agricultural industry, accounting for approximately thirty percent of the total farm income in Alabama; and

WHEREAS in less than ten years the Alabama Poultry Industry has grown from total annual sales of \$100 million to in excess of \$262 million; and

WHEREAS Alabama is the third largest broiler producing state in the nation and ranks sixth in egg production, having produced 2.72 billion eggs in 1970 and 1.5 million broilers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the week of July 11-17 is hereby declared to be "ALABAMA POULTRY PRODUCTS WEEK."

BE IT FURTHER RESOLVED That the Clerk of the House send a copy of this resolution to the Alabama Poultry Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 84, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hearn, Grainger, Hale, King and Lutz:

H. J. R. 80. WHEREAS, Leander Raphael Patton, a native Alabamian, is a truly distinguished person, having been captain of his high school baseball, football, and basketball teams, a member of the Student Council and President of his Senior Class; and while in college having served as assistant to the Dean of Men, Business Manager of the Student Newspaper, Superintendent of the College Sunday School and President of the Athletic Club; and,

WHEREAS, he has spent most of his adult life serving his alma mater, the Alabama Agricultural and Mechanical School, in various capacities, and as Business Manager for the last nineteen years; and,

WHEREAS, his personality, thoughtfulness, patience, tolerance and fairness have endeared him to thousands of young college students as well as providing for them an inspiration to develop such characteristics; and,

WHEREAS, his loyalty, dependability, efficiency, integrity and devotion have provided an example that has contributed immeasurably to the welfare of his school; and,

WHEREAS, the Legislature of Alabama desires to give special recognition to someone who has meant so much to his community, his friends and associates, and his school, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that we hereby designate and name the classroom administration building now under construction at the Alabama Agricultural and Mechanical University as the "L. R. PATTON HALL" in honor of this inspiring and dedicated man, and further direct that such name be appropriately inscribed on or affixed to the building in such manner as the President of the University may direct; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the said L. R. Patton.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 80, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following H. J. R. 38.

H. J. R. 38. Relative to establishing a Legislative Committee to study parking and parking problems in the Capitol Complex.

And requests a committee on Conference.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Ellis, Hobbie and Cauthen.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Resolution, H. J. R. 38, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Fine, Cooper and Foshee.

RESOLUTIONS

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. ENDORSING THE PROPOSAL OF SENATOR HARRY F. BYRD TO REQUIRE THE RECONFIRMATION OF FEDERAL JUDGES AT REGULAR INTERVALS

WHEREAS Senator Harry F. Byrd, Jr., of Virginia has introduced in the Congress of the United States a proposal to amend the United States Constitution to require all federal judges to be reconfirmed by the United States Senate every eight years; and

WHEREAS when our founding fathers created our government, they provided separate legislative, executive and judicial branches in order to establish a system of checks and balances and to prevent the domination of governmental affairs by any one single branch; and

WHEREAS, because it was thought that the judicial branch of government would be the weakest of the three branches, provision was made for justices of the Supreme Court of the United States and the judges of its inferior courts to serve for life to provide protection from political pressure and the vacillations of ephemeral public opinion; and

WHEREAS the Constitution of the United States provided for and established a representative republican form of government to insure the rights and privileges of the citizens of the component states; by its letter and spirit, the Constitution provided for each individual state to retain and reserve unto itself all its power and sovereignty except that part delegated, granted, and given to effect the union of the states; and by its express language, the Constitution safeguarded each individual state and its people from unauthorized interference in domestic affairs by a strong central government and from tyranny and suppression wrought by such a strong central government; and

WHEREAS in recent decades the federal courts have taken unto themselves more and more additional powers under the assumption that the law of the land is whatever the court says it is; they have not only usurped the powers reserved to the states and assumed powers of the legislative and executive branches of government in the process of self-annointed omnipotence, but they have mistaken themselves for God; and

WHEREAS under the incessant demands of a powerful combination of subversive and minority interests, the courts have fallen into a slough of fallacious reasoning, and in attempting to extricate themselves have resorted to strangely conceived social concepts and idealistic pap in which they insist upon wallowing; and

WHEREAS the courts, by their arrogant, wilful and wanton use of judicial fiat and flagrant abuse of injunctive powers, have forced their tragically ridiculous interpretations of the Constitution and of state and federal statutes on the people of a once proud, powerful

and self reliant nation to such extent that many property rights have been destroyed; voting rights have been diluted and restricted; the legislative and congressional districts of many states have been arbitrarily reapportioned without regard to similarity of interests, economic condition or consideration of desires of any groups within the states; orderly systems of public education are impossible; riots are frequent occurrences on college and university campuses; transportation is often halted; welfare cases have risen to astronomical heights; crime in the streets is uncontrolled, and fear and chaos are rife throughout the land; and

WHEREAS a return to a sane, strong responsible government which is supported by the vast majority of people who work for a living, pay their debts, educate their children, and, with confidence in themselves and faith in the Lord, contribute something to the communities they live in, can be achieved in large part by making federal judges responsive to the will of these people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body and the people of Alabama heartily endorse Senator Byrd's proposal to require the reconfirmation of federal judges by the Senate of the United States at intervals of eight years.

BE IT FURTHER RESOLVED, That we regard this proposal as an admirable step in the right direction and would recommend that United States Supreme Court Justices be included therein and that the intervals for reconfirmation be reduced to six years.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Senator Harry F. Byrd, Jr., to the President and Vice President of the United States, to the Speaker of the House of the United States Congress, to the Chief Justice and each Associate Justice of the United States Supreme Court and to each member of Alabama's Congressional Delegation.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 163. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Branyon	Fine	Lindsey	Owen
Carr	Foshee	Littleton	Pelham
Cook	Givhan	McLain	Pierce
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 164. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

was taken up.

The Standing Committee on Agriculture reported the following amendment to the Bill, S. B. 164, to-wit:

COMMITTEE AMENDMENT TO S. B. 164

Amend Senate Bill No. 164 by amending Section 13 of said Bill as follows: Strike from the first sentence in Section 13 of the Bill the word "twenty-fifty" where said word appears in said sentence on page 6 in the fourth line of said page and insert in lieu thereof the following word: twenty-fifth.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Owen
Branyon	Fine	Lindsey	Pelham
Carr	Foshee	Littleton	Pierce
Cook	Givhan	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder

—27

Nays:

—0

Mr. Cooper offered the following amendment to the Bill, S. B. 164, as amended, to-wit:

AMENDMENT TO SENATE BILL 164

Amend Senate Bill No. 164 as follows:

Amend Section 20 by adding the phrase "or producer of milk may by written notice to the processor each 30 days prevent the withholding of 2% gross on milk sold" to the sentence on line 12 which now ends with the word "purchase".

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham
Bailes	Givhan	Lybrand	Pierce
Branyon	Hammond	McLain	Register
Carr	Harris	Malone	Shelby
Dominick	Hawkins	Noonan	Vacca
Dozier	Jones	O'Bannon	Wilder
Edington	King	Owen	Wilson
Foshee	Lindsey		

—29

Nays:

Messrs.:	Cook	Cooper	Fine
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—3

Mr. Bailes offered the following amendment to the Bill, S. B. 164, as amended, to-wit:

AMENDMENT TO S. B. 164

Amend S. 164 in Section 20 by deleting the period after the word "assessment" in line 15 of Section 20 and inserting in lieu thereof a comma and the following words; "and the association shall make no further deductions or assessments until the association is so notified in writing by the producer that the producer desires to further participate in the association by having the deductions withheld by the association in accordance with the provisions of this Act."

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 21; Nays 11.

Yeas:

Messrs.:	Harris	McLain	Pelham
Branyon	Hawkins	Malone	Pierce
Cooper	King	Noonan	Register
Dozier	Lindsey	O'Bannon	Shelby
Givhan	Littleton	Owen	Wilson
Hammond	Lybrand		

—21

Nays:

Messrs.:	Cook	Fine	Jones
Bailes	Dominick	Foshee	Vacca
Carr	Edington	Gilmore	Wilder

—11

Mr. Gilmore offered the following amendment to the Bill, S. B. 164, to-wit:

AMENDMENT TO S. B. 164

Amend Section 20 by adding the phrase "or producer of milk may by written notice to the processor each 6 months prevent the withholding of 2% gross on milk sold." to the sentence on line 12 which now ends with the word "purchase"

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Givhan	Lybrand	O'Bannon	
Branyon	Hammond	McLain	Owen	
Dozier	Jones	Malone	Register	
Fine	Lindsey	Noonan	Weaver	
Foshee	Littleton			—17

Nays:

Messrs.:	Cook	Gilmore	Pierce	
Bailes	Dominick	King	Vacca	
Carr	Edington			—9

And said Bill, S. B. 164, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Pelham	
Carr	Givhan	Lybrand	Pierce	
Cook	Hammond	McLain	Register	
Cooper	Hawkins	Malone	Vacca	
Dominick	Jones	Noonan	Weaver	
Dozier	King	O'Bannon	Wilder	
Edington				—28

Nays: Messrs. Bailes, Gilmore —2

The Bill:

S. 139. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Carr	Givhan	Lybrand	Pierce	
Cook	Hammond	McLain	Register	
Dominick	Hawkins	Malone	Vacca	
Dozier	Jones	Noonan	Weaver	
Edington	King	O'Bannon	Wilder	
Fine				—28

Nays: Messrs. Branyon, Cooper —2

BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Fine, further consideration of the Bill, S. B. 204, was postponed until the Seventeenth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 7. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

as amended by the Judiciary Committee amendment on the Ninth Legislative Day, was taken up.

Mr. Vacca offered the following substitute for the Bill, S. B. 7, as amended, to-wit:

SUBSTITUTE FOR S. B. 7

A BILL
TO BE ENTITLED
AN ACT

To make it unlawful for a person to own, or cause to be operated, a motor vehicle loaded with gravel or other like substance in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever willfully and knowingly operates, owns, or causes to be operated on any public highway, road, or street a motor vehicle so loaded with gravel, rock, slag, bricks, sawdust, chips, wood products, or other like substances, in such manner or in such condition that the contents of the vehicle spill out and endanger the safety of the persons or property of motorists and pedestrians, is guilty of a misdemeanor and upon conviction shall be fined not more than \$100.00.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Nays:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Vacca
Cook	Hawkins	Malone	Weaver
Cooper	Jones	Noonan	Wilder
Dominick	King	O'Bannon	Wilson
Dozier			

—28

Nays:

—0

And said Bill, S. B. 7, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 150. Relating to Etowah County; to provide for the reorganization of the county board of education.

Also:

S. 151. To create and establish the Etowah County Solid Waste and Park and Recreation Authority; to prescribe its composition, duties, powers and responsibility.

Also:

S. 152. To amend further Act No. 226, H. 588, Regular Session 1959 (Acts 1959, p. 765), which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons; giving the act retroactive effect.

Also:

S. 153. To alter or rearrange the boundary lines of the Town of Sardis City, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory now embraced within the Town of Mountainboro, Etowah County, Alabama.

Also:

S. 254. Relating to counties having populations of not less than 22,250 nor more than 23,000, according to the most recent federal decennial census; providing an expense allowance for the coroner of such counties.

Also:

S. 290. To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more

than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act.

Also:

S. 359. Relating to counties having a population of not less than 34,875 nor more than 36,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

PASCHAL P. VACCA,
Vice-Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 227. Proposing an amendment to the Constitution of Alabama relating to the right to trial by jury; authorizing the legislature to provide by law, for juries composed of less than twelve members in civil cases at law or in equity, and for the rendition of the verdict in any such cases by less than the whole jury.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, S. B. 227, to-wit:

AMENDMENT TO S. B. 227

Amend S. B. 227 by adding to Section 1, Subsec. 11 thereof the following:

"Provided, however, that upon the failure of any ten jurors to agree on a verdict the judge then presiding shall enter a verdict for the defendant."

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Edington	Lindsey	Shelby
Branyon	Fine	Littleton	Vacca
Carr	Foshee	Noonan	Weaver
Cooper	Gilmore	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson

—23

Nays:

Messrs.:	Harris	McLain	Register
Cook	Lybrand	Pierce	

—6

Mr. Harris moved that further consideration of the Bill, S. B. 227, be indefinitely postponed. Mr. Wilson moved that the motion to indefinitely postpone be laid on the table, which motion was lost.

Yeas 11; Nays 20.

Yeas:

Messrs.:	Fine	Noonan	Shelby
Branyon	King	Owen	Weaver
Dominick	Lindsey	Pelham	Wilson

—11

Nays:

Messrs.:	Foshee	Jones	O'Bannon
Bailes	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Cook	Harris	McLain	Vacca
Dozier	Hawkins	Malone	Wilder
Edington			

—20

The question was then on the motion of Mr. Harris, which was adopted, and further consideration of the Bill, S. B. 227, was indefinitely postponed by the Senate.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Foshee	Jones	O'Bannon
Bailes	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Cook	Hammond	McLain	Vacca
Dozier	Harris	Malone	Wilder
Edington	Hawkins		

—21

Nays:

Messrs.:	Fine	Noonan	Weaver
Branyon	King	Owen	Wilson
Dominick	Lindsey	Pelham	

—10

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Wilson, further consideration of the Bill, S. B. 228, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 8. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Cooper	Hammond	McLain	Vacca
Dominick	Harris	Malone	Weaver
Dozier	Hawkins	Noonan	Wilder
Edington	Jones	O'Bannon	Wilson

—31

Nays:

—0

The Bill:

S. 48. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

was taken up.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

Delivered to the Governor at 3:00 P. M. On May 27, 1971.

S. J. R. 1

Delivered to the Governor at 3:10 P. M. On June 8, 1971.

S. J. R. 10

S. J. R. 13

S. J. R. 14

S. J. R. 18

Delivered to the Governor at 1:55 P. M. On June 10, 1971.

S. J. R. 19

S. J. R. 20

S. J. R. 22

S. J. R. 25

Delivered to the Governor at 2:20 P. M. On June 16, 1971.

S. J. R. 24

S. J. R. 26

Delivered to the Governor at 2:30 P. M. On June 29, 1971.

S. J. R. 28

S. J. R. 31

Delivered to the Governor at 2:05 P. M. On June 30, 1971.

S. J. R. 29

S. B. 211

Delivered to the Governor at 2:20 P. M. On June 30, 1971.

S. B. 280

Delivered to the Governor at 3:10 P.M. On June 30, 1971.

S. B. 326

Delivered to the Governor at 4:45 P. M. On July 7, 1971.

S. B. 150

S. B. 151

S. B. 152

S. B. 153

S. B. 254

S. B. 290

S. B. 359

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:55 P. M., on motion of Mr. Pelham, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until 11 o'clock A. M., Thursday, July 8, 1971.

FIFTEENTH LEGISLATIVE DAY

THURSDAY, JULY 8, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Mr. Edsel Hughes, Minister, Lakewood Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

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JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

PASCHAL P. VACCA,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Vacca, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Clark for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 57. Mourning the death of Judge Hugh A. Locke.

Also:

H. J. R. 59. Mourning the death of Joseph Halbert Leavelle, Jr., and Wiley Ashley Clark III.

Also:

H. J. R. 61. Naming the LeRoy Brown Health and Physical Education Building at Jefferson State Junior College.

Also:

H. J. R. 62. Commending the Huntsville Association of Technical Societies for sponsoring "A SPACE CONGRESS FOR THE NON-AEROSPACE PUBLIC".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cooper:

S. 487. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assist-

ants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

Committee on Health.

By Mr. McLain:

S. 488. Relating to the eligibility of electors.

Committee on Constitution and Elections.

By Messrs. Noonan, Pelham and Edington:

S. 489. To create the Alabama State Docks Authority; providing for its powers, its Board of Directors and its personnel; transferring to the Authority all the rights, authorities, funds, property, books, records and effects of the Alabama State Docks Department, abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act No. 103 of the General Acts of Alabama, 1955, and Act No. 302 of the Special Sessions of 1961, General Acts of Alabama, 1961, pages 2362-2363, laws or parts of laws conflicting with its provisions; amending Section 9 and Section 13 of Title 38 the Code of Alabama, 1940, as amended, and providing for an effective date of this Act.

Committee on Seaports.

By Mr. Edington:

S. 490. To amend Title 51, Section 223 Code of Alabama, 1940 so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

Committee on Judiciary.

By Mr. Edington:

S. 491. To amend Title 51, Section 717 (1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Committee on Military.

By Mr. Fine:

S. 492. To Repeal Code Section 1 of Title 22, 1940 Code of Alabama, as amended, and to amend Code Section 2 of Title 22, 1940 Code of Alabama, as amended, so as to broaden the membership of the State Committee of Public Health, to include a licensed practitioner of dentistry, a licensed practitioner of pharmacy, a registered nurse, a licensed practitioner of veterinary medicine, a licensed optometrist, and a representative of organized labor in this state; to amend further Code Section 3 of Title 22, 1940 Code of Alabama, as amended, and to amend Code Section 4 of Title 22, 1940 Code of Alabama, as amended, so as to broaden the membership of the County boards of health in this state, and to further provide that the State Committee of Public Health be constituted as the State Board of Health.

Committee on Health.

By Mr. Owen:

S. 493. To rename the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Committee on Conservation.

By Mr. Noonan:

S. 494. To authorize the county governing bodies of the several counties in the State to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Committee on County Government.

By Messrs. Cook, Bailes, King, Dominick, Hawkins, Gilmore and Vacca:

S. 495. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they

are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Committee on Local Legislation No. 2.

By Mr. McLain:

S. 496. To amend Code of Alabama 1940, Title 26, Section 158, relating to persons working in coal mines.

Committee on Business and Labor.

By Mr. McLain:

S. 497. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adwell, Meeks and Boutwell:

H. 538. To amend Act No. 497 of the regular session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 717 et seq.), as heretofore amended, which said Act established a Retirement and Pension System for the officers and employees of Jefferson County, Alabama.

Also:

By Mr. Jones (F):

H. 173. To make an additional appropriation from the General Fund in the State treasury to the Governor's Commission on Drug Abuse.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 538. To the Committee on Local Legislation No. 2.

H. B. 173. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Baker:

H. 898. To repeal Act No. 84, H. 145, approved July 9, 1962, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties." (Acts of Alabama, 1962, Special Session, p. 109).

Also:

By Mr. Baker:

H. 899. To repeal Act No. 415, S. 439, approved September 4, 1963, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000, providing for the compensation of members of the jury commissions in such counties." (Acts of Alabama, 1963, vol. II, p. 920).

Also:

By Mr. Baker:

H. 900. To repeal Act No. 156, S. 137, approved August 28, 1964, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties." (Acts of Alabama, 1964, Special Session, p. 220).

Also:

By Mr. Baker:

H. 901. To repeal Act No. 73, S. 75, approved March 22, 1965, entitled, "An Act authorizing the appointment of juvenile court officers in counties having populations of not less than 38,000 nor more than 45,000, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama, 1965, Special Session, vol. I, p. 88-89).

Also:

By Mr. Baker:

H. 902. To repeal Act No. 75, S. 91, approved March 22, 1965, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; fixing the compensation of the chief clerk of the judge of probate of each of such counties." (Acts of Alabama, 1965, Special Session, vol. I, p. 89-90).

Also:

By Mr. Baker:

H. 903. To repeal Act No. 825, S. 403, approved September 2, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the county Solicitor in any such county." (Acts of Alabama 1965, vol. II, p. 1547-1548).

Also:

By Mr. Baker:

H. 904. To repeal Act No. 445, S. 460, approved August 19, 1965, entitled, "An Act relating to all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retroactive." (Acts of Alabama, 1965, vol. I, p. 648-649).

Also:

By Mr. Baker:

H. 905. To repeal Act No. 215, H. 512, approved August 3, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the judge of the county court in any such county." (Acts of Alabama 1965, vol. I, p. 301).

Also:

By Mr. Baker:

H. 906. To repeal Act No. 113, H. 54, approved September 30, 1965, entitled, "An Act to regulate the compensation of the members of the county board of education in all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census." (Acts of Alabama, 1965, 2nd Special Session, vol. I, p. 152-153).

Also:

By Mr. Baker:

H. 907. To repeal Act No. 137, H. 121, approved May 10, 1967, entitled, "An Act to apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties." (Acts of Alabama, 1967, vol. I, p. 187-188).

Also:

By Mr. Baker:

H. 908. To repeal Act No. 12, H. 70, approved June 27, 1967, entitled, "An Act to provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent decennial census." (Acts of Alabama, 1967, vol. I, p. 346).

Also:

By Mr. Baker:

H. 909. To repeal Act No. 590, H. 611, approved September 8, 1967, entitled, "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 38,000 nor more than 45,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama, 1967, vol. II, p. 1362-1365).

Also:

By Mr. Baker:

H. 910. To repeal Act No. 618, H. 781, approved September 8, 1967, entitled, "An Act relating to Counties having a population of not less than 38,000 nor more than 45,000, and providing for payment of salary to the Judge of the Inferior Court in any such County, and to provide for all fees going to said Court, to be paid into the general fund of such County." (Acts of Alabama, 1967, vol. II, p. 1423).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909 and 910. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wood and Flipppo:

H. 260. Providing that persons licensed as public accountants under Title 51, Section 453, Code of Alabama 1940, and as Certified Public Accountants under Act No. 269, Regular Session, 1969, shall have a lien on all papers and money of their clients in their possession for services rendered to them.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 260. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 167. Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Baker:

H. 911. To repeal Act No. 651, H. 876, approved September 8, 1967, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance for judges of the county court in such counties." (Acts of Alabama, 1967, vol. II, p. 1471-1472).

Also:

By Mr. Baker:

H. 912. To repeal Act No. 117, H. 102, approved May 14, 1969, entitled, "An Act to fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census, with retroactive effect." (Acts of Alabama, 1969, Special Session, vol. I, p. 188-189).

Also:

By Mr. Baker:

H. 913. To repeal Act No. 821, H. 1066, approved September 12, 1969, entitled, "An Act relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties." (Acts of Alabama, 1969, vol. II, p. 821).

Also:

By Mr. Baker:

H. 914. To repeal Act No. 911, H. 1293, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws." (Acts of Alabama 1969, vol. II, p. 1642-1643).

Also:

By Mr. Baker:

H. 915. To repeal Act No. 492, H. 1294, approved August 19, 1969, entitled, "An Act relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000." (Acts of Alabama 1969, vol. II, p. 951-952).

Also:

By Mr. Baker:

H. 916. To repeal Act No. 840, H. 1109, approved September 12, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1544-1545).

Also:

By Mr. Baker:

H. 917. To repeal Act No. 1192, H. 1428, approved September 13, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes." (Acts of Alabama, 1969, vol. III, p. 2230-2231).

Also:

By Mr. Baker:

H. 918. To repeal Act No. 590, S. 697, approved August 29, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1076-1077).

Also:

By Mr. Baker:

H. 919. To repeal Act No. 1084, S. 896, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties." (Acts of Alabama 1969, vol. III, p. 2019-2020).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 911, 912, 913, 914, 915, 916, 917, 918 and 919. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lang:

H. 780. To authorize and direct the county commission of Greene County to allow and pay the sheriff of said county four hundred dollars (\$400) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately owned automobile used on official business.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and direct the county commission of Greene County to allow and pay the sheriff of said county four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately owned automobile used on official business.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Greene County is hereby authorized and directed to allow and pay to the sheriff of said county the sum of four hundred dollars (\$400.00) per month for reimbursement of expenses incurred by him in operation, upkeep, repair and maintenance of his privately owned automobile used on official business in the performance of his duties.

Section 2. All laws or parts of laws, general, local or special, in conflict herewith are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, known to me, who, upon being first duly sworn by me, deposed and said that during the times herein mentioned he was the Publisher of the Greene County Democrat, a newspaper of general circulation published and printed in Greene County, Alabama, and that the attached and foregoing notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on the 27th day of May, and the 3rd, 10th and 17th days of June, all in 1971.

RICHARD K. MARTIN.

Sworn to and subscribed before me this 17th day of June, 1971.

RALPH R. BANKS, JR.,
Notary Public.

Also:

By Messrs. Carnes, Waldrop, and Wynot:

H. 893. To provide that certain employees of Etowah County or the Etowah County Board of Education shall not be dismissed from employment or reduced to status as part-time employees except for certain causes; relating to the rights of employees dismissed or reduced to part-time status; establishing the Etowah County Personnel Board, granting the Board certain authority, providing for the compensation and duties of its members, and directing and authorizing the governing body of Etowah County to provide the members of the Board with reasonable and necessary legal counsel.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: Carnes.

A BILL
TO BE ENTITLED
AN ACT

To provide that certain employees of Etowah County or the Etowah County Board of Education shall not be dismissed from employment or reduced to status as part-time employees except for certain causes; relating to the rights of employees dismissed or reduced to part-time status; establishing the Etowah County Personnel Board, granting the Board certain authority, providing for the compensation and duties of its members, and directing and authorizing the governing body of Etowah County to provide the members of the Board with reasonable and necessary legal counsel.

Be It Enacted by the Legislature of Alabama:

Section 1. No full-time employee of Etowah County or the Etowah County Board of Education shall be dismissed from employment by an elected official of Etowah County except for incompetency, insubordination, neglect of duty, immorality, excessive absenteeism, or other good and just cause.

Section 2. This act shall not affect hiring, promotion or demotion of employees.

Section 3. This act shall apply only for the benefit of employees who have been employed by Etowah County or the Etowah County Board of Education for a period of one year or longer.

Section 4. This act shall not apply for the benefit of teachers, principals, the superintendent of education, or any persons who are covered by the provisions of the teacher tenure laws of Alabama.

Section 5. The words "elected official" as used herein shall include an elected board or commission.

Section 6. There is hereby created and established the Etowah County Personnel Board, which shall be composed of the following persons: (1) the president of the Gadsden Labor Council, (2) the president of the Etowah County Bar Association, and (3) the president of the Chamber of Commerce of the City of Gadsden.

Section 7. If any employee covered under the provisions of this act shall be dismissed, he shall have the right to have the action of dismissal reviewed by the Etowah County Personnel Board to determine if the dismissal was proper under the provisions of this act.

Section 8. In the event that any elected official desires to dismiss any employee, he shall give notice in writing by United States registered mail, postage prepaid, to such employee, stating in detail the reason or reasons for dismissal. A copy of said notice shall be sent in the same manner to each of the Etowah County Personnel Board.

Section 9. Upon receipt of such notice, the employee may within ten days, and not thereafter, demand a hearing before the said Board to contest the propriety of the dismissal.

Section 10. Upon receipt of the demand for hearing, the Board shall order a hearing within ten days, which hearing shall be public or private at the discretion of the employee. The employee and the elected official shall each have the right to be present and to be heard with or without counsel. Each shall have the right to present the testimony of witnesses and other evidence bearing upon the reason or reasons for dismissal. Each shall have the right to examine adverse witnesses.

Section 11. The Board shall have the right to administer oaths, take depositions and issue subpoenas to compel the attendance of witnesses and production of papers as evidence.

Section 12. The Board shall also issue subpoenas upon request of either party. Any person failing to obey the Board's subpoena may be punishable by the Circuit Court of Etowah County for contempt.

Section 13. Upon consideration of all the evidence at the hearing, the Board shall determine the question of the propriety of the dismissal and shall render its decision within five days.

Section 14. No employee shall return to or continue at his employment once he has received notice of his dismissal as provided in Section 8 hereof, until the Board has rendered its decision. If the Board determines that the dismissal was proper under the provisions of this act, the employee shall not be permitted to return to work. The employee shall, however, be paid from the Etowah County treasury an amount equal to one-fourth of one month's salary for each year of service with the county, as severance pay. If the Board determines that the dismissal was not proper under the provisions of this act, the employee shall return to work immediately and shall be paid from the Etowah County treasury an amount equal to his full salary for the time during the pendency of the proceeding before the Board. Nothing in this act shall preclude the rehiring at a later date of any employee dismissed under the provisions of this act, provided, however, that upon such rehiring, the county shall deduct from the wages of the employee twenty per cent of such wages per month until such time as the county shall thereby be reimbursed for severance pay previously paid to the employee under the provisions of this act.

Section 15. The reduction of a full-time employee to status as a part-time employee shall be considered the same as a dismissal and the provisions of this act shall likewise apply, provided that if the Board finds that a reduction to status as a part-time employee is proper under the provisions of this act, the employee shall return to work as such part-time employee immediately, and he shall not be allowed severance pay, provided, however, that if the employee's employment as a part-time employee is such that the employee shall be required to work less than twenty-one hours per week, then the employee shall be allowed severance pay in an amount equal to one-half of the amount provided for in Section 14 thereof.

Section 16. The members of the Etowah County Personnel Board shall receive a salary of seventy-five dollars per year, which salary shall be in lieu of any and all other compensation.

Section 17. The board of revenue, county commission, or like governing body of Etowah County is hereby authorized and directed to provide the members of the Etowah County Personnel Board, in their capacity as such members, all legal counsel and representation as may be reasonable and necessary.

Section 18. In the event that any member of said Board shall be unable to serve because of illness, disability, or other good cause, the vice-president, or if there be more than one vice-president, the first vice-president of the organization of which the member is president (under Section 6 hereof) shall serve in his stead.

Section 19. The provisions of this act are severable. If any part hereof shall be declared unconstitutional, the parts which remain shall not be affected.

Section 20. This act shall take effect immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Mr. Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Mrs. Dorothy Mince, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Advertising Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the A Bill To Be Entitled An Act, which notice was printed in The Gadsden Times in its regularly circulated editions on June 2, June 9, June 16, and June 23, 1971, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 28th. day of June, 1971.

MRS. DOROTHY MINCE.

Subscribed and sworn to before me on this 28th. day of June, 1971.

WALTER BETZ,
Notary Public,
Etowah County, Alabama.

Also:

By Mr. Casey:

H. 1008. To provide for the compensation of jurors in Cleburne County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Cleburne County.

Be It Enacted by the Legislature of Alabama:

Section 1. All grand and petit jurors, serving in Cleburne County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the Clerk of the court. The Clerk shall give each juror a certificate, stating therein

the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation wo which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, 27, June 3, 10, 1971.

JACK R. WOOD.

Sworn to and subscribed before me June 29, 1971.

RUTH G. MORGAN,
Notary Public.

Also:

By Mr. Casey:

H. 1009. To provide for the compensation of circuit court bailiffs in Cleburne County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of circuit court bailiffs in Cleburne County.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the circuit court of Cleburne County shall fix the salary of any bailiff appointed by him at ten dollars (\$10.00)

a day for every day he serves. Said sum shall be paid out of the county general fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, 27, June 3, 10, 1971.

JACK R. WOOD.

Sworn to and subscribed before me June 29, 1971.

RUTH G. MORGAN,
Notary Public.

Also:

By Messrs. Wood, Perloff, Therrell, Roberts, Stokes and Downing:

H. 699. To repeal Act No. 267, H. 597, approved August 24, 1939 (Local Acts 1939, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a department or agency of the state authorized to make such audits.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 267, H. 597, approved August 24, 1939 (Local Acts 1939, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a department or agency of the state authorized to make such audits.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 267, H. 597, approved August 24, 1939, (Local Acts 1949, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a state department or agency authorized to do so, is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Egan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 14, May 21, May 28, and June 4, all in the year 1971.

W. F. EGAN.

Sworn to and subscribed before me June 11, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Downing, Stokes and Wood:

H. 865. To amend further the title and Section 1 of Act No. 529 of the 1949 Regular Session of the Alabama Legislature (1949 Acts, p. 827), as amended, which relates to plumbers and plumber examining boards in certain counties classified on a population basis.

Also:

By Mr. Baker:

H. 896. To repeal Act No. 826, H. 1065, approved September 8, 1961, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers." (Acts of Alabama 1961, vol. II, p. 1211).

Also:

By Mr. Baker:

H. 897. To repeal Act No. 265, H. 46, approved September 15, 1961, entitled, "An Act further regulating the meetings of the county board of registrars in all counties having populations of not less than 38,000 nor more than 45,000." (Acts of Alabama 1961, vol. II, p. 2281).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 780, 893, 1008, 1009, 699, 865, 896 and 897. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 33. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama.

Also:

S. 34. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama.

Also:

S. 35. Relating to judicial procedure in the Twenty-Seventh judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

S. 36. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit.

Also:

S. 37. Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

Also:

S. 263. Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safe-keeping of such final records.

Also:

S. 265. To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 9. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 9. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bowers:

H. J. R. 76. MOURNING THE DEATH OF MR. W. H. LEIGH.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 76, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

REPORTS OF COMMITTEES

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hill et al (with amendment):

H. 330. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 29. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Owen, Horne, Weaver, Hammond, Littleton and Carr (with substitute):

S. 79. To abolish the Alabama Water Improvement Commission; to provide for the control of water pollution within the State of Alabama; to create and establish a Water Pollution Control Board; to prescribe the jurisdiction, powers, duties and functions of the Water Pollution Control Board; to provide for a chief administrative officer of the Board; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Water Pollution Control Board; to prescribe penalties and make appropriations; to provide procedures whereby individuals may institute suits for violations of any provision of this Act; and to provide an orderly transfer of all matters, personnel, records, functions, powers and unexpended funds from the Water Improvement Commission to the Water Pollution Control Board.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hammond, Foshee, Register, Fine, Clark, Cooper, Wilder, Malone, Owen, Pierce, Littleton, Weaver, Dozier, Noonan, Shelby, Pelham, Harris, Carr, Wilson, Lybrand, O'Bannon and Horne:

S. 26. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such funds; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

By Messrs. Hammond, Foshee, Register, Fine, Clark, Cooper, Wilder, Malone, Owen, Pierce, Littleton, Weaver, Dozier, Noonan, Shelby, Pelham, Harris, Carr, Wilson, Lybrand, O'Bannon and Horne:

S. 27. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Wood et al:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

By Mr. Smith (P):

H. 289. To authorize the director of conservation to declare open season on the killing of beavers under certain conditions and to provide for the payment of bounty therefor.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen (with substitute):

S. 81. To amend Section 38 of Title 8 of the Code of Alabama of 1940 so as to provide an increase in amount for the resident annual state fishing license, eliminating the difference due to type of sport fishing gear used to catch fish.

By Mr. Owen (with substitute):

S. 82. To establish the procedure for obtaining an annual resident state hunting license.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 87. To amend Section 139 of Title 8 of the Code of Alabama of 1940, as amended by Act Number 108 enacted at the 1961 Special Session of the Legislature of Alabama, so as to eliminate the six cent (6c) per barrel tax on owners of private reefs and to remove from tax exemption those who take oysters for replanting from public reefs, beds or bottoms.

By Mr. Owen:

S. 89. To require the proper marking and identification of nets, seines and traps in the coastal waters of Alabama.

By Mr. Owen:

S. 90. To amend Section 135 of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the fee to register and license vessels used to catch or transport oysters.

By Mr. Owen:

S. 92. To amend Section 119 (1) of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the license fee for taking oysters.

By Mr. Owen:

S. 93. To amend Section 146 of Title 8 of the Code of Alabama of 1940 so as to provide for an increase in the license fee for selling raw oysters.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Clark, Register, Pierce and Bailes:

S. 483. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof: fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 449. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

By Mr. Edington:

S. 485. To repeal Act No. 631, S. 556, Regular Session, 1969, (Acts 1969, p. 1157), which relates to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

By Mr. Fine:

S. 486. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent Federal decennial census; to provide an expense allowance for the Deputy Sheriffs in all such counties.

By Mr. Shelby:

S. 472. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

By Messrs. Pierce and Jones:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature;

providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

By Mr. Hardin:

H. 8. To further amend the title and Section 1 of Act No. 171, H. 223, Special Session 1961, approved September 15, 1961, as last amended, in relation to expense allowances of members of the county governing body of all counties having a population of not less than 24,525 nor more than 24,675.

By Mr. Merrill et al (with notice and proof):

H. 13. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Anniston; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

By Mr. Merrill et al (with notice and proof):

H. 15. To authorize, provide for and regulate the establishment and operation of a retirement system for certain employees of the City of Anniston and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Anniston Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

By Mr. Grey (D):

H. 97. To amend the Title and Section 1 of Act No. 160, H. 182, Special Session 1969, (Acts 1969, p. 226), which act provides further for additional clerk hire allowance for the tax assessors and tax collectors of certain counties classified on a population basis.

By Mr. Grey (D):

H. 98. Relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

By Mr. Lutz et al (with notice and proof):

H. 118. To authorize the judge of probate of Madison County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

By Mr. Stubbs (with notice and proof):

H. 178. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

By Mr. Coshatt (with notice and proof):

H. 179. To alter, rearrange and reduce the boundaries and corporate limits of the city of Pell City, St. Clair County, Alabama, so as to delete certain territory from the City.

By Mr. Smith (K):

H. 204. To amend the title and Section 1 of Act No. 33, S. 63, Regular Session 1967 (Acts 1967, p. 364), which provides an expense allowance for county solicitors of certain counties classified on a population basis.

By Mr. Smith (K):

H. 205. To amend the title and Section 1 of Act No. 188, S. 292, Regular Session 1967 (Acts 1967, p. 555), which Act prohibits the catching of fish by use of a gill or trammel net in public waters of certain counties classified on a population basis.

By Mr. Smith (K):

H. 206. To amend the title and Section 1 of Act No. 926, H. 893, Regular Session 1961 (Acts 1961, p. 1485), which act provides further for the compensation and allowances of members of the jury commission and clerk of the jury commission of certain counties classified on a population basis.

By Messrs. Bassett and Hardin (with notice and proof):

H. 210. To permit banks now or hereafter situated within the corporate limits of the City of Troy, Alabama, a municipal corporation, to establish, maintain or operate new branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business within the corporate limits of Troy, Alabama, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

By Messrs. St. John and Drake:

H. 219. To provide clerical assistance for the District Attorneys of circuits composed of one county having a population of not less than 50,000 nor more than 52,500.

By Mr. Coshatt (with notice and proof):

H. 304. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

By Mr. Stubbs (with notice and proof):

H. 314. To allow prospective jurors to be excused without the presence of the defendant in capital cases in the Eighteenth Judicial Circuit of Alabama.

By Mr. Grainger et al:

H. 393. To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000.

By Mr. Owens:

H. 409. Proposing an amendment to the Constitution of Alabama relating to Bibb County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Hardin and Bassett:

H. 421. To amend the title and Section 1 of Act No. 158, H. 28, Special Session 1961 (Acts 1961, p. 2106), which Act provides further for jury trials in land line and boundary dispute trials in certain counties on a population basis.

By Messrs. Hardin and Bassett:

H. 422. To repeal Act No. 1031, S. 624, approved September 9, 1961, entitled, "An Act providing further for the compensation of members of the jury commission in counties having a population of not less than 24,550 nor more than 24,650 inhabitants, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1617).

By Messrs. Agee and McCorquodale (with notice and proof):

H. 443. To levy in Washington County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Washington County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide for the disposition of the proceeds of said tax; and to prescribe additional penalties for certain violations.

By Messrs. Pruitt and Manley:

H. 464. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

By Messrs. McCluskey and Smith (P) (with notice and proof):

H. 516. Relating to Talladega County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

By Mr. Drake et al:

H. 523. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

By Mr. Drake et al:

H. 522. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

By Messrs. Pruitt and Manley:

H. 552. To apply only in counties having populations of not less than 16,700 nor more than 18,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

By Messrs. Pruitt and Manley:

H. 560. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

By Messrs. Pruitt and Manley:

H. 561. Relating to counties having populations of not less than 14,500 nor more than 15,500, fixing the fee for issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fees.

By Messrs. Pruitt and Manley:

H. 562. To apply only to counties having a population of not less than 16,700 nor more than 18,000 according to the most recent federal census; allowing the sale of alcoholic beverages in certain locations previously prohibited.

By Messrs. Manley and Pruitt (with notice and proof):

H. 563. Relating to Marengo County; to prescribe the qualifications of the county superintendent of education in Marengo County; and to regulate his compensation and expense allowances.

By Mr. Coshatt:

H. 578. To repeal Act No. 46, H. 74, approved March 4, 1970, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act No. 837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approval at a referendum held in the county affected." (Acts of Alabama, Special Session, 1970, p. 2670).

By Mr. Coshatt:

H. 580. To repeal Act No. 526, S. 553, approved August 22, 1961, entitled, "An Act relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions." (Acts of Alabama, 1961, p. 625).

By Mr. Coshatt:

H. 581. To repeal Act No. 101, H. 296, approved June 27, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, page 485).

By Mr. Coshatt:

H. 582. To repeal Act No. 147, S. 110, approved July 19, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, p. 521).

By Mr. Coshatt:

H. 583. To repeal Act No. 142, H. 155, which became effective August 28, 1964, entitled, "An Act relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places." (Acts of Alabama, 1964, p. 205).

By Mr. Grey (D):

H. 645. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; designating the funds from which the annual salary of the Sheriff shall be payable.

By Messrs. McDonald, St. John and Drake (with notice and proof):

H. 728. Relating to Marshall County; authorizing any city board of education in said county to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

By Messrs. McDonald, St. John and Drake (with notice and proof):

H. 729. Relating to Marshall County; providing that no fee shall be charged or collected by any public official for the assessment or collection of ad valorem taxes levied in said county for public school purposes, nor shall any percentage of the proceeds of such tax be retained by any public official or by the county to cover the cost of assessment or collection; providing for the proceeds of all school taxes to be paid to the treasurers of the county and city school systems in Marshall County.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Casey (with amendment):

H. 767. To provide further for the payment of an expense allowance to the members of the Tax Equalization Board in counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Warren and Mims (with notice and proof):

H. 768. To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

By Messrs. Bassett and Hardin (with notice and proof):

H. 872. Relating to Pike County; to authorize the Court of County Commissioners of Pike County to provide a Deputy Tax Assessor, a Deputy Tax Collector, a Deputy Circuit Clerk, a Probate Clerk, and a Secretary for the Inferior Court of Pike County; and to provide for their appointment, duties and compensation; to repeal Act No. 259, Regular Session 1951 as amended; Act No. 258, Regular Session 1951 as amended; Act No. 148, Regular Session 1955 as amended; Act No. 332, Regular Session 1961 as amended and all laws and parts of laws in conflict with the provisions hereof.

By Messrs. Bassett and Hardin (with notice and proof):

H. 873. Relating to Pike County: to provide for the payment of an expense allowance to members, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners

RESOLUTION

Mr. Malone offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 13, 1971.

On motion of Mr. Malone, the Rules were suspended and the Resolution was adopted by the Senate.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 63. Mourning the death of J. M. Woods, an outstanding citizen of Calhoun County, Alabama.

Also:

H. J. R. 64. Commending Herman T. Pruett for his outstanding contributions to the People of the State of Alabama.

Also:

H. J. R. 65. Congratulating and commending the Lee High School baseball team on winning the State 3A-4A Championship.

Also:

H. J. R. 67. Commending Mr. Frank Basil Clark, National President of the Possum Growers and Breeders Association of America for focusing National attention on Chilton County and Alabama.

Also:

H. J. R. 69. Mourning the death of Frank Wakefield, Budget Examiner.

Also:

H. J. R. 70. To name a bridge in Colbert County "Lurleen-Buzzard Roost Creek Bridge".

Also:

H. J. R. 71. Commending Miss Ceil Jenkins for being named Miss Alabama and extending an invitation to visit the Legislature.

Also:

H. J. R. 72. Mourning the death of Mr. John A. "Buck" Jenkins.

Also:

H. J. R. 74. Commending Representative Walker Hobbie upon being honored by the National Fraternal Order of Police.

Also:

H. J. R. 80. Naming the classroom administration building now under construction at the Alabama Agricultural and Mechanical University as the "L. R. PATTON HALL".

Also:

H. J. R. 84. Declaring the week of July 11-17 Alabama Poultry Products Week.

were again read and, on motion of Mr. Carr, were concurred in and adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 48. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

The Standing Committee on Judiciary reported the following Substitute for the Bill, S. B. 48, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 48

A BILL TO BE ENTITLED AN ACT

To repeal Sections 21, 22, 23, and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 21, 22, 23 and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state, are hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham	
Bailes	Dozier	King	Pierce	
Branyon	Edington	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Cook	Givhan	Noonan	Wilder	
Cooper	Hawkins			—21

Nays:

—0

And said Bill, S. B. 48, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Cook	Givhan	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Hawkins	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	Owen	Wilson

—27

Nays:

—0

The Bill:

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cooper	Harris	McLain	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Jones	Owen	Wilder
Edington			

—28

Nays:

—0

RESOLUTIONS

Mr. Pierce offered the following Senate Resolution, S. R. 44, to-wit:

S. R. 44. WHEREAS, The Senate has great admiration for the charm, beauty and usually wise judgment of Mrs. Ruby Shirley Noonan, and

WHEREAS, The members of this body are aware that even the most level-headed of women can be victims of temporary insanity, under the influence of headstrong, amorous, red-headed football stars; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we do hereby extend our condolences to Mrs. Noonan on this, the 21st anniversary of her mistake;

BE IT FURTHER RESOLVED, That our hearty congratulations be extended to our friend, Red Noonan, as the lucky victim of Ruby's poor judgment.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Senator and Mrs. Noonan.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO ADJOURN LOST

At 12:50 P. M., Mr. Hawkins moved that the Senate adjourn until Tuesday, July 13, 1971 at 2 o'clock P. M., which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Cooper	Hawkins	Malone	
Bailes	Fine	Horne	Pelham	
Branyon	Gilmore	King	Register	
Cook	Hammond			—13

Nays:

Messrs.:	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Dominick	Harris	Noonan	Vacca	
Dozier	Jones	Owen	Weaver	
Edington	Littleton			—17

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Vacca, further consideration of the Bill, S. B. 120, was postponed until the Seventeenth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 157. Relating to certain contracts for the printing and publication of the acts and journals of the legislature, prescribing further regulations and imposing additional duties upon certain state officers with respect thereto; amending Section 117 of Title 55, Code of Alabama 1940 and Sections 6 and 10 of Act No. 27, S. 30, Regular Session 1949 (Acts 1949, p. 35), all appearing in Code of Alabama, Recompiled 1958 as Sections 117, 133 (1) and 143 (1), respectively.

was taken up.

Mr. Dominick offered the following amendment to the Bill, S. B. 157, to-wit:

AMENDMENT TO S. B. 157

Amend Section 1 under "Section 117" by striking the words "or a majority of said officers may declare such contract forfeited for such failure or neglect." and by substituting a period for the semicolon that immediately precedes said words.

Amend Section 3 under "Section 10" by striking the words "ten calendar days" and substituting the words "twenty-one calendar days".

Amend Section 2 under "Section 6 (b)" by striking the words "one hundred eighty days" and substituting the words "two hundred ten calendar days".

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	King	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Register	
Cooper	Hammond	Lybrand	Vacca	
Dominick	Harris	Malone	Weaver	
Dozier	Hawkins	Noonan		—30

Nays:

—0

And said Bill, S. B. 157, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Cook	Hammond	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Edington	Horne	O'Bannon	Wilson	

—31

Nays:

—0

ADJOURNMENT

At 1:10 P. M., on motion of Mr. Fine, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Tuesday, July 13, 1971, at 2 o'clock P. M.

SIXTEENTH LEGISLATIVE DAY

TUESDAY, JULY 13, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Andrew L. Smith, Pastor, Heritage Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

RESOLUTION

Mr. Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two houses adjourn today, they adjourn to meet again on Tuesday, July 20, and when they adjourn on July 20, they adjourn to meet again on Wednesday, July 21; and when they adjourn on July 21, they adjourn to meet again on Thursday, July 22.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 89. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Thursday, July 15, 1971, and that when they adjourn on Thursday, July 15, 1971, they adjourn to meet again on Tuesday, July 20, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 89, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 33. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama.

Also:

S. 34. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama.

Also:

S. 35. Relating to judicial procedure in the Twenty-Seventh judicial circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

S. 36. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit.

Also:

S. 37. Relating to Marshall County; to provide for the compensation of the Register of the Circuit Court of Marshall County, Alabama, and to repeal conflicting general local or special laws.

Also:

S. 167. Relating to Wilcox County; fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

S. 263. Relating to Marshall County; regulating the keeping of records in the Marshall County Circuit Court; eliminating the recording of certain documents in what is commonly designated "Final record books" and providing that the originals of such documents shall constitute the final record in Civil cases in such Court; and providing for the safe-keeping of such final records.

Also:

S. 265. To fix and regulate the fees of witnesses in criminal cases and in the County Court and Circuit Court of Marshall County, Alabama, and before the Grand Jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles

had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 498. To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

Committee on Finance and Taxation.

By Mr. Hammond:

S. 499. To fix the salary for the Deputy District Attorney in counties having a population of not less than 41,500 nor more than 45,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 500. To amend Act No. 430, H. 222, Regular Session 1953 (Acts 1953, p. 535), which provides that the right of a person to work shall not be abridged or denied on account of membership or non-membership in any labor union or organization, so as to require non union employees to pay an amount equal to union dues to the union representing like employees.

Committee on Business and Labor.

By Mr. Wilson:

S. 501. Relating to the ownership, maintenance and use of, and working in, underground manholes.

Committee on Business and Labor.

By Mr. Wilson:

S. 502. Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Walker County Commission, or any succeeding county governing body performing the functions of the county governing body in said county, shall employ a county engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Walker County public roads, highways, bridges and ferries, and shall, during his employment, reside in Walker County, Alabama.

Section 2. Said county engineer shall be appointed by the county commission from a nomination made by the state highway director. If said nomination is not acceptable to said county commission, the state highway director shall be requested to make additional nominations. Should the state highway director refuse, or fail to make nominations, the county commission may fill the position of county engineer with any person who has the qualifications herein set out.

Section 3. It shall be the duty of the said engineer, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of Walker County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) to build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the county commission; (5) it shall be his further duty, in so far as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. The said county engineer is hereby designated as the person authorized to make written requisition upon the duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Walker County.

Section 5. It shall be the duty of the county commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, highways, bridges and ferries, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 6. The county commission shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from the Walker County treasury.

Section 7. The county commission shall furnish the county engineer with an office at the courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 8. The county engineer shall be the custodian of all road tools, machinery, supplies and equipment of Walker County, and he shall be accountable for the same, at all times. The county commission shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the county engineer shall keep on files in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Walker County.

Section 9. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges and ferries of Walker County as may be set aside and appropriated by the county commission, as hereinafter provided; it shall be the duty of said county commission at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Walker County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Walker County during said period; provided however, that said county commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during said period, when such authorization will not conflict with provisions of the general law under the Budget Act, Title 12, Section 74, of the Code of Alabama 1940. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present County Commission of Walker County, immediately upon the passage of this Act, it shall be the duty of the county commission herein created to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the annual budget is approved for the incoming year in October.

Section 10. The county engineer shall make written requisition to the chairman of the county commission for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repairs of public roads, bridges and ferries of Walker County. Said requisitions shall be filed and presented by the chairman to the county commission at its next meeting, for the approval of the county commission. Provided, however, that the chairman shall have full power and authority to make said purchases without first obtaining the approval of the whole county commission if the delay caused by the hereinabove procedure, might, in his judgement, cause an unnecessary and harmful interruption in the operation of the county road system.

Section 11. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Walker County Commission for use on public roads, bridges, and ferries, when the same is delivered, and the same shall not be accepted and paid for without its first having been approved by him.

Section 12. In the event an emergency should arise, in which it would be impossible for the county commission to employ an engineer, as hereinabove provided for, then, in that event the county commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said

engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the state highway director can nominate an engineer who will accept employment by said county commission under the terms of this Act, it being the intention of this Act to provide that, when county roads are to be maintained or constructed in said county, the supervision thereof shall be either under a county engineer, as hereinabove provided for, or by a road supervisor, who is not a member of the county commission.

Section 13. It shall be the further duty of each associate member of the county commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the county commission with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public relations generally.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This act shall become effective within 30 days upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, June 8, June 15, and June 22, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me June 24, 1971.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Malone:

S. 503. To provide funds for the operation of the Alabama Association of Rescue Squads, Inc., an Alabama Non-Profit Eleemosynary Corporation, To the end that its services may be expanded to better serve the people of Alabama by providing said funds to be used in the hiring of a full-time personnel, purchasing of equipment and operating funds.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 504. To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles and related facilities, and financing, acquiring,

constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority; to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles and related facilities, and financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Findings. It is hereby determined and declared that the free circulation of traffic of all kinds through the streets of Tuscaloosa County is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in the streets of such county; that the movement as well as the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from municipalities and unincorporated areas in such county, impedes the rapid and effective fighting of fires and disposition of police forces, threatens irreparable loss in the values of urban property which can no longer be readily reached by vehicular traffic, and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provision for an adequate transit system and for sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided; that privately owned transit systems have proven unsatisfactory; that parking spaces

now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking and an efficient transportation system must be publicly supplied; and that enactment of the provisions of this act is hereby declared to be a public necessity.

Section 2. Definitions. When used in this act, unless the context plainly indicates otherwise, the present tense shall include the future tense, the singular shall include the plural, the plural shall include the singular and the following words and phrases shall have the meanings respectively ascribed to them in this section:

“Authority” means a public corporation organized pursuant to the provisions of this act.

“Authorizing subdivision” means Tuscaloosa County or any municipality therein.

“Board” means the board of directors of the authority.

“Bond” means any bond authorized to be issued pursuant to the provisions of this act.

“Coupon” means any interest coupon evidencing an installment of interest payable with respect to a bond.

“Director” means a member of the board of directors of the authority.

“Indenture” means a mortgage, an indenture of mortgage, deed of trust, trust agreement, or trust indenture executed by the authority as security for its bonds.

“Parking facility” means any building, structure, land, right-of-way, equipment of instrumentality used or useful in connection with the acquisition, construction, leasing, enlargement, development, maintenance or operation of an area or building for off-street parking of motor vehicles, or in connection with the exercises of any power of the authority.

“Passenger Transit Vehicle” means and includes any of the following that has space for seven or more seated passengers: street railway cars, trolley coaches propelled by electric power drawn from an outside source by means of connection with fixed overhead apparatus, and self-propelled motor vehicles whether or not operated on tracks.

“State” means the state of Alabama.

“Transit System” means any plan, property or facility used or useful in connection with the transportation of the public as passengers for hire by passenger transit vehicles, including the said passenger transit vehicles, tracks, overhead apparatus and other appurtenances thereto, garages, shops and other facilities for the storing, parking, maintenance and repair of such vehicles, administrative buildings, and other structures, equipment and properties necessary or convenient to the operation of passenger transit, vehicles for transportation of the public as passengers for hire.

Section 3. Authority and Procedure to Incorporate’ Pursuant to the provisions of this act, parking and transit authorities may be organized as public corporations with the powers herein set forth. To organize such a corporation, not less than three natural persons shall file with the governing body of Tuscaloosa County and the governing body of any one or more municipalities in said county an application in writing for permission to incorporate a public corporation under the provisions of this act and shall attach to such application a proposed form of certificate of incorporation for such corporation. If each governing body

with which the application is filed shall adopt a resolution (which need not be published or posted) approving the form of such certificate of incorporation and authorizing the formation of such a public corporation, then said applicants shall become the incorporators of and shall proceed to incorporate the authority as a public corporation in the manner hereinafter provided, using for that purpose the form of the certificate so approved.

Section 4. Contents of Certificate of Incorporation. The certificate of incorporation of the authority shall state: (a) the names of the persons forming the authority together with the residence of each thereof, and a statement that each of them is a duly qualified elector of and owner of property in the county; (b) the name of the authority (which name shall include the words, "PARKING AND TRANSIT AUTHORITY"; (c) the period for the duration of the authority (if the duration is to be perpetual that fact shall be so stated); (d) the names of the authorizing subdivisions together with the date or dates on which the governing bodies thereof adopted resolutions authorizing the incorporation of the authority; (f) a statement as to whether employees of the authority shall or shall not be subject to civil service laws, retirement laws, and disability laws applicable to employees of one of the authorizing subdivisions, and if so, the name of such authorizing subdivision, and (g) and other matter relating to the authority that the incorporators may choose to insert which is not inconsistent with this act or with the laws of the state.

Section 5. Execution and Recording of Certificate of Incorporation. The certificate of incorporation of the authority shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the state to take acknowledgements to deeds and shall have attached thereto a certified copy of the resolution provided for in Section 3 of this act and a certificate by the Secretary of State that the name proposed for the authority is not identical to that of any other corporation organized under the laws of the state or so nearly similar thereto as to lead to confusion and uncertainty. The certificate of incorporation of the authority, together with the documents required by the immediately preceding sentence to be attached thereto, shall be filed for record in the Office of the Judge of Probate of Tuscaloosa County. The Judge of Probate shall forthwith receive and record the same. When such a certificate of incorporation and attachments thereto have been so filed, the authority referred to therein shall come into existence and shall constitute a public corporation under the names set forth in such certificate of incorporation, whereupon the authority shall be vested with the rights and powers herein granted.

Section 6. Board of Directors of the Authority. Any such authority shall be governed by a board of directors of seven or more members, a majority of which shall be elected by the governing body or bodies of the municipality or municipalities within Tuscaloosa County which they represent. Such members shall be residents of the respective municipality or municipalities they represent. Each municipality which is an authorizing subdivision shall be entitled to at least two members on the board. The governing body of Tuscaloosa County shall be entitled to elect a number of directors equal to a minority of one. Those members elected by the governing body of the county shall be residents of the county but not of any municipality therein. No officer of the state or any county or municipality therein shall, while holding such office, be eligible to serve as a director. The term of office of each director shall be four years. If any director resigns, dies or becomes unable or ineligible to act as a director, a successor to serve the unexpired portion of his term shall be elected in the manner prescribed hereinabove. Directors shall be eligible for reelection.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business, but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duty of the authority. The board of directors shall hold regular meetings on the second Tuesday in each month, and at such other times, as may be provided in the by-laws of the authority; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman of the authority of any two directors, a special meeting of the board must be held. Any matter on which the board of directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any director, the vote on any question before the board shall be taken by yeas and nays and entered upon the record. All proceedings of the board shall be reduced to writing by the secretary of the authority, recorded in a well bound book and open to each director and to the public at all times. Copies of such proceedings, when certified by the secretary of the authority under its seal, shall be received in all courts as evidence of the matters and things therein certified. Each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. If the certificate of incorporation so provides, each director shall also be compensated by the authority in an amount not to exceed \$20.00 per month, at a rate authorized by the board and by the certificate but not to exceed \$10.00 for each board meeting attended by him. Any director of the authority may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of officers mentioned in said Section 175.

Section 7. Officers of the Authority. The officers of the authority shall consist of a chairman, a vice-chairman, a secretary, a treasurer and such other officers as the board shall deem necessary to accomplish the purposes for which the authority was organized. The chairman, vice-chairman and secretary of the authority shall be elected by the board from its membership, but neither the treasurer nor any of the other officers of the authority need be a member of the board of directors. The offices of secretary and treasurer may, but need not be, held by the same person. The chairman, and secretary of the authority shall be elected by the board for a term of one year, and the treasurer and the other officers of the authority shall be elected by the board for such term as it deems advisable. Subject to the provisions of its certificate of incorporation, the authority shall also have the authority to employ all personnel, and as it deems necessary, to fix the terms and conditions of the employment. The duties of the officers of the authority shall be such as are from time to time prescribed by the board.

Section 8. Powers of the Authority—in General. The authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof: (1) to have succession by its corporate name for the duration of time (which may be in perpetuity) specified in its certificate of incorporation; (2) to sue and be sued in its own name in civil suits and actions; (3) to adopt and make use of a corporate seal and to alter the same at pleasure; (4) to adopt and alter by-laws for the regulation and conduct of its affairs and business; (5) to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property, and to develop any undeveloped property owned, leased or controlled by it; (6) to execute such contracts and other instruments and to take such other action as may be necessary or conveni-

ent to carry out the purposes of this act or the exercise of any powers granted hereunder; (7) to plan, establish, develop, acquire, construct, lease, enlarge, improve, maintain, equip, operate, regulate and protect parking facilities in Tuscaloosa County; (8) to plan, establish, develop, acquire, construct, lease, enlarge, improve, maintain, equip, operate, regulate and protect transit systems in Tuscaloosa County including the acquisition, construction, installation, equipment, maintenance and operation of buildings and other facilities for transit systems and the servicing of passenger transit vehicles or for the comfort and accommodation of passengers on such vehicles and the purchase and sale of supplies, goods and commodities as are incident to the operation of its transit system; (9) subject to approval of the governing bodies of the authorizing subdivision, to lease or let such transit system or parking facilities or any one or more of them to such tenant or tenants, for such term or terms, as such compensation or rental and subject to such provisions, limitations and conditions as the authority may require or approve; (10) to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; (11) to pledge for payment of such bonds any revenues and funds from which such bonds are made payable; (12) to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes for which the authority was incorporated; (13) to appoint, employ, contract with and provide for compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal advisers and such other employees as the business of the authority may require, including the power to fix working conditions by general rule and other conditions of employment and, subject to the provisions of the certificate of incorporation of such authority, the power at its option to provide a system of disability pay, retirement compensation and pensions, or any of them, and to hire and fire servants, agents, employees and officers at will; (14) to fix, establish, collect and alter parking fees, tolls, rents and other charges for the use of any parking facility or other property owned or controlled by the authority; (15) to fix, establish, collect and alter rates, fares, tolls, and other charges for the use of any transit system of the authority; (16) to make and enforce rules and regulations governing the use of the transit system or any parking facility owned or controlled by the authority; (17) to secure such insurance, including use and occupancy insurance, and liability insurance, as the board may deem advisable; (18) to enter into agreements with any authorizing subdivision for the management by the authority of any transit system or parking facility useful to the authority, whether within or without the corporate limits of any municipality in Tuscaloosa County, upon such terms and conditions as may be mutually agreeable; (19) to invest any funds of the authority that the board may determine are not presently needed for its corporate purposes in any obligations which are direct general obligations of the United States of America or which are unconditionally guaranteed as to both principal and interest by the United States of America, or in bonds of the state or any county, city or town therein; (20) to cooperate with the state and any county, city, town, public corporation, agency, department, or political subdivision of the state, and to make such contracts with them or any of them as the board may deem advisable to accomplish the purposes for which the authority was established; (21) subject to the approval of the governing bodies of the authorizing subdivisions, to sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or useful; (22) to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility or transit system from the United States of America or any agency thereof, and from the state, any department or agency thereof, or any county, city or town therein, and to receive and accept money, property, labor or other things of value from any source whatever; and (23) to purchase equipment and supplies necessary or convenient for the exercise of any

power of the authority. Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or held by railroads or utilities, both public and private.

Section 9. Leases of Parking Facilities. Before or within a reasonable period of time after acquisition or construction by any authority organized hereunder of any off-street parking facility for the use of which tolls, charges or rentals are to be collected, such authority shall by published notice invite to submission of bids for the lease and operation of said facility by the highest satisfactory bidder. The notice of the invitation for such bids shall be published at least once a week for three successive weeks preceding the date required for submission of bids in a newspaper of general circulation in Tuscaloosa County. Said published notice shall set out such terms, provisions, and conditions for the lease of the facility as the board may deem necessary or desirable to be included in the lease agreement. The board shall have the power to reject all bids in the event no bids is received which conforms to the provisions, terms and conditions set out in the published notice provided for hereinabove, but in that event the authority shall promptly advertise, in the manner prescribed hereinabove, for new bids to be submitted not more than three months after the date prescribed for the original submission. Prior to leasing any such parking facility, the board must determine and find the following: (1) the amount necessary in each year to pay the principal of and interest on any bonds of the authority issued hereunder or proposed to be issued hereunder to finance the acquisition and construction of said facility; (2) the amount necessary to be paid each year into any reserve funds which the board may deem it advisable to establish in connection with the retirement of said bonds and the maintenance and insurance of said parking facility and, unless the terms under which said facility is to be leased provide that the lessee shall maintain said facility and carry all insurance (including liability insurance) deemed proper by the board with respect thereto, (3) the estimated cost of maintaining said facility in good repair and securing such insurance. The agreement for the lease of any such parking facility by an authority hereunder shall provide for payment of rentals, based on such findings and determinations, as are sufficient (a) to pay the principal of and interest on any bonds of the authority issued hereunder to finance the acquisition and construction of that facility, (b) to build up and maintain any reserves deemed by the board to be advisable in connection therewith, and (c) unless the agreement of lease provides that the lessee shall maintain and carry all insurance (including liability insurance) deemed proper by the board with respect to said facility, to pay the cost of maintaining said facility in good repair and paying for such insurance. The lease agreement may, at the discretion of the board, contain provisions prescribing minimum operating hours, maximum charges to be collected by the operator, and other terms to be observed by the lessee.

Section 10. Use of Public Roads. Each authority organized under this act is hereby authorized to use in the operation of its public transit system the rights-of-way of all public roads within any authorizing subdivision; all without securing the prior approval of the state or of its agencies or departments or the governing body of the said authorizing subdivision and subject only to the necessity of obtaining any consent by a municipal corporation outside the county in which the authority is incorporated that is required by Section 220 of the Constitution of Alabama; provided, however, that nothing herein shall be construed to exempt any such authority from the requirements of Section 28 of Title 23 of the Code of Alabama of 1940; and provided, further, that each such authority shall have the duty to restore at its expense any public rights-of-way in which it may have done any work in laying tracks or performing other functions in the operation of its public transit system.

Section 11. Federal and State Aid. The authority is hereby authorized to accept, receive, receipt for, disburse and expend federal and state moneys and other moneys, public or private, made available by grant or loan or both, to accomplish, in whole or in part, any of the purposes of this act. All federal moneys accepted under this section shall be accepted and expended by the authority upon such terms and conditions as are prescribed by the United States and are not inconsistent with the laws of this state, and all state moneys accepted under this section shall be accepted and expended by the authority upon such terms and conditions as are prescribed by law.

Section 12. Cooperation. For the purpose of aiding and cooperating with the authority in the planning, development, undertaking, construction, extension, improvement or operation of parking facilities and a transit system, the governing body of any authorizing subdivision upon such terms as it may determine, may:

(a) Lend or donate money to the authority;

(b) Donate, transfer, assign, sell or convey to the authority any right, title or interest which it may have in any lease, contract, license or property;

(c) Do any and all things, whether or not specifically authorized in this section and not otherwise prohibited by law, that are necessary or convenient to aid and cooperate with the authority in the planning, undertaking, construction, acquisition, leasing or operation of parking facilities and a transit system.

Section 13. Bonds of the Authority. Subject to approval of the governing bodies of the authorizing subdivisions, the authority shall have the power and is hereby authorized at any time and from time to time to issue and sell its interest bearing revenue bonds for any of its corporate purposes. The principal of and the interest on all such bonds shall be payable solely from, and may be secured by a pledge of, the revenues derived by the authority from the operation of any or all of its parking facilities and any or all of its transit systems and other property. None of the bonds issued or contracts entered into by the authority shall every constitute or create an obligation or debt of the state, or of any county, city or town within the state, or a charge against the credit or taxing powers of the state, or of any county, city or town within the state. Bonds of the authority may be issued at any time and from time to time, may be in such form and denominations, may be of such tenor, may be payable in such installments and at such time or times not exceeding forty years from their date, may be payable at such place or places whether within or without the state, and may bear interest at such rate or rates payable and evidenced in such manner, all as shall not be inconsistent with the provisions of this act and as may be provided in the proceedings of the board wherein the bonds shall be authorized to be issued. Any bond having a stated maturity more than ten years after its date shall be made subject to redemption at the option of the authority not later than the expiration of ten years from its date and on any interest payment date thereafter at such price or prices and after such notice or notices and on such terms and in such manner as may be provided in the proceedings of the board wherein it is authorized to be issued. Bonds of the authority may be sold at public or private sale in such manner and from time to time may be determined by the board. The authority may pay all reasonable expenses, premiums, fees and commissions that the boards may deem necessary or advantageous in connection with the authorization, sale and issuance of its bonds. All bonds shall contain a recital that they are issued pursuant to the provisions of this act, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this act. Neither a

public hearing nor consent of the State Department of Finance shall be prerequisite to the issuance of bonds by any authority. Notwithstanding the fact that they are payable solely from a specified source, all bonds issued under the provisions of this act shall be deemed negotiable instruments within the meaning of the negotiable instruments law of the state if they otherwise possess all the characteristics of negotiable instruments under the laws of the state.

Section 14. Execution of bonds. All bonds shall be signed by the chairman or vice-chairman and the secretary or treasurer of the authority and the seal of the authority shall be affixed thereto; provided that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced thereon in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the authority may be imprinted or otherwise reproduced on the bonds in lieu of being manually affixed thereto. Coupons shall be signed by the chairman or vice chairman and the secretary or treasurer and a facsimile of the signatures of such officers may be impressed or otherwise reproduced on any such interest coupons in lieu of their manually signing the same. Delivery of bonds so executed shall be valid notwithstanding any changes in officers or in the seal of the authority after the signing and sealing of the bonds.

Section 15. Security for bonds. In the discretion of the authority any bonds may be issued under and secured by an indenture between the authority and a trustee. Said trustee may be a private person or corporation, including but not limited to any trust company or bank having trust powers whether such bank or trust company is located within or without the state. In any such indenture or resolution providing for the issuance of bonds the authority may pledge, for payment of the principal of and the interest on such bonds, any of its revenues to which its right then exists or may thereafter come into existence and may assign, as security for such payment, any of its leases, franchises, permits and contracts; and in any such indenture, the authority may, with the approval of the governing bodies of the authorizing subdivisions, mortgage any of its properties, including any that may be thereafter acquired by it. Any such pledge of revenues shall be valid and binding from the time it is made, and the revenues so pledged and thereafter received by the authority shall immediately become subject to the lien of such pledge without any physical delivery thereof or further act. The lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether the parties have actual notice thereof, from the time a statement is filed in the office of the Judge of Probate of Tuscaloosa County. Such notice need state only the date on which the resolution authorizing the issuance of the bonds was adopted by the board, the principal amount of bonds issued, a brief description of the revenues so pledged and a brief description of any property the revenues from which are so pledged. In any indenture or resolution authorizing the issuance of bonds and pledging for the benefit thereof revenues from any one or more of its parking facilities or transit systems, the authority shall have the power to include provisions customarily contained in instruments securing evidence of indebtedness, including without limiting the generality of the foregoing, provisions respecting the collection, segregation and application of any rental or other revenues due to or to become due to the authority, the terms to be incorporated in any lease agreement respecting any property of the authority, the maintenance and insurance of any building or structure owned by the authority, the creation and maintenance of special funds for any revenue of the authority and the rights and remedies available in the event of default to the holders of the bonds or the trustee under the indenture, all as the board shall deem advisable and as shall not be in conflict with the provisions of this act.

If there be any default by the authority in payment of the principal or of the interest on the bonds or in any of the agreements on the part of the authority that may properly be included in any indenture securing the bonds, any holder of any of the bonds or any of the coupons, or the trustee under any indenture if so authorized in such indenture, may (in addition to any other remedies herein provided or otherwise available) either at law or in equity, by suit, action, mandamus or other proceedings, enforce payment of such principal or interest and compel performance of all duties of the board and officers of the authority, and shall be entitled as a matter of right and regardless of the sufficiency of any such security to the appointment of a receiver in equity with all the powers of such receiver for the operation and maintenance of the property of the authority covered by such indenture and the collection, segregation and application of revenues therefrom. The indenture may also contain provisions restricting the individual rights of action of the holders of the bonds and coupons.

Section 16. Use of Proceeds from Sale of Bonds. The proceeds derived from the sale of any bonds (other than refunding bonds) may be used only to pay the cost of acquiring, constructing, improving, leasing, enlarging and equipping the parking facilities and the transit system or property with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued. Such cost shall be deemed to include the following: the cost of any land forming a part of such parking facilities or transit system; the cost of labor, material and supplies used in any such construction, improvement or enlargement, including architects' and engineers' fees and the cost of preparing contract documents and advertising for bids; the purchase price of and the cost of installing equipment for the parking facilities or the transit system; the cost of landscaping the lands forming a part of such parking facilities and of constructing and installing roads, sidewalks, curbs, gutters and utilities in connection with the parking facilities; legal, fiscal and recording fees and expenses incurred in connection with such parking facilities or transit system; and interest on said bonds for a reasonable period prior to and during the time required for such construction and equipment and for not exceeding twelve months after completion of such construction and equipment. If any of the proceeds derived from the sale of said bonds remains undischarged after completion of such work and payment of all of the said costs and expenses, such balance shall be used for retirement of the principal of the bonds of the same issue.

Section 17. Refunding Bonds. The authority may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any bonds of the authority theretofore issued hereunder and then outstanding, whether or not such principal and interest shall have matured at the time of such refunding, and for the payment of any expenses incurred in connection with such refunding and any premium necessary to be paid in order to redeem, retire or purchase for retirement the bonds to be refunded. The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued. Any such refunding may be effected either by sale of the refunding bonds and the application of the proceeds thereof, or by exchange of the refunding bonds for the bonds of interest coupons to be refunded thereby; provided that the holders of any bonds or coupons so to be refunded shall not be compelled without their consent to surrender their bonds or coupons for payment or exchange prior to the date on which they may be paid or redeemed by call of the authority under their respective provisions. All provisions of this act pertaining to bonds of the authority that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to refunding bonds issued by the authority. The authority may at any time and from time to time issue bonds for

the purpose of so refunding the principal of and the interest on any of its bonds and for any other purpose for which it is authorized to issue bonds, in which event the provisions hereof respecting refunding bonds shall apply only to the portion of such combined issue authorized for refunding purposes and the provisions hereof respecting other financing shall apply to the remaining portion of such combined issue.

Section 18. Exemption from Taxation. The bonds issued by the authority and the income therefrom shall be exempt from all taxation in the state. All property and income of the authority shall be exempt from all state, county, municipal and other local taxation, provided, however, this exemption shall not be construed to exempt concessionaires, licensees, tenants, operators or lessees of or on any parking facility owned by any authority from the payment of any taxes, including license or privilege taxes levied by the state, the county or any municipality in the state.

Section 19. Investment of County and Municipal Funds in Bonds of the Authority. The governing body of any county, city or town within this state is authorized in its discretion to invest in bonds of the authority any idle or surplus money held in its treasury.

Section 20. Eligibility of Bonds as Investments for Trust Funds. Bonds issued under the provisions of this act are hereby made legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority. Such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state.

Section 21. Notice of Bond Resolution. Upon the adoption by the board of any resolution providing for the issuance of bonds, the authority may in its discretion cause to be published once a week for two consecutive weeks, in a newspaper that is customarily published in Tuscaloosa County not less than five days in each calendar week and distributed therein, a notice in substantially the following form (the blanks being properly filled in) at the end of which there shall be printed the name and title of either the chairman or secretary of the authority: "_____, a public corporation of the State of Alabama, on the ____ day of _____, authorized the issuance of \$_____ principal amount of revenue bonds of the said corporation for purposes authorized in the act of the Legislature of Alabama under which the said corporation was organized. Any action or proceeding questioning the validity of the said bonds, or the pledge and any instruments securing such bonds, or the proceedings authorizing the same, must be commenced within thirty days after the first publication of this notice." Any action or proceeding in any court to set aside or question the proceeding for the issuance of the bonds referred to in said notice or to contest the validity of any such bonds or the validity of the pledge and any instruments made to secure such bonds must be commenced within thirty days after the first publication of such notice. After the expiration of the said period no right of action or defense questioning or attacking the validity of the said proceedings, the said bonds or the said pledge or instruments shall be asserted, nor shall the validity of the said proceedings, bonds, pledge or instruments be open to question in any court on any ground whatsoever except in an action commenced within such period.

Section 22. Contracting and Purchasing Restrictions. Laws, regulations and ordinances relating to the advertising and award of construction contracts and purchase contracts made by or in behalf of the authorizing subdivisions shall be applicable to any authority granted permission to incorporate by said authorizing subdivisions. Nothing herein

shall exempt such authorities from laws relating to surety bond requirements for such contracts. The board of directors of the authority shall make annual reports to the governing bodies of the authorizing subdivisions and the books, records, and accounts as the governing body of the authorizing subdivisions electing a majority of the directors may direct.

Section 23. Suits against the Authority or any Director. No action or suit shall be brought or maintained against the authority or any director thereof, for or on account of the negligence of such authority or director, or its or his agents, servants or employees, in or about the construction, maintenance, operation, superintendence or management of any parking facility transit system or other facility owned or controlled by the authority.

Section 24. Dissolution of Authority. At any time when no bonds of the authority are outstanding, the authority may be dissolved upon the filing with the Judge of Probate of Tuscaloosa County of an application for dissolution, which shall be subscribed by each of the members of the board and sworn to by each member before an officer authorized to take acknowledgments to deeds. Upon the filing of such application for dissolution, the authority shall cease to exist. Said Probate Judge shall receive and record the application for dissolution in an appropriate book of record in his office. Upon dissolution, all rights, title and interest of the authority in property shall be vested in the authorizing subdivisions.

Section 25. Provisions are Cumulative. The provisions of this act are cumulative and shall not be deemed to repeal existing laws, except to the extent such laws are clearly inconsistent with provisions of this act.

Section 26. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 27. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 9, 1971.

LaJUNE BURNETT,
Notary Public.

By Mr. Shelby:

S. 505. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 160,000.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 506. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Committee on Local Legislation No. 1.

By Messrs. Bailes, Cook, King, Vacca, Dominick, Hawkins and Gilmore:

S. 507. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary lines of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1971 for the adoption of an Act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary line of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama be and the same are altered and rearranged so as to include within the corporate limits of the said City of Mountain Brook, Alabama in addition to the territory included within its present corporate limits and to exclude from the territory of the City of Birmingham, Alabama certain territory more particularly described as follows:

A part of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows: Commence at the southeast corner of the

southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said Section 33, Township 17 South, Range 2 West and run thence west along the south boundary line of said southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ a distance of 74.34 feet; thence at an angle to the left of 20 degrees 48 minutes in a westerly direction a distance of 371.22 feet; thence at an angle to the right of 77 degrees 28 minutes run in a northerly direction a distance of 157.61 feet to a point on the south boundary line of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 west to the point of beginning. Thence continuing along the last mentioned course run a distance of 102.45 feet; thence at an angle to the right of 97 degrees, 26 minutes run a distance of 229.85 feet; thence at an angle to the right of 82 degrees 34 minutes run in a southeasterly direction to a point on the south boundary of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West, Jefferson County, Alabama; run thence West along said south boundary of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West to the point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 5, 12, 19, 26, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of June, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. King, Cook, Bailes, Vacca, Dominick and Hawkins:

S. 508. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1971 for the adoption of an Act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 95 adopted by the 1965 Regular Session of the Legislature of Alabama, (Alabama Acts 1965, Page 120 et seq.) is hereby amended by adding thereto the following Sections:

"Section 44. In all criminal cases in the Criminal Court of Jefferson County wherein the defendant is charged with a felony, a judge of this court shall before preliminary examination, in all the cases wherein a preliminary examination is to be held, ascertain from the accused, or otherwise: (a) whether or not the defendant has arranged to be represented by and have the assistance of counsel; (b) whether or not the defendant desires assistance of counsel; and (c) whether or not the defendant is able financially or otherwise to obtain the assistance of counsel."

"Section 45. If it appears to a judge of this court that a defendant is charged with a felony and does not expressly waive the right to assistance of counsel, and the defendant is not able financially or otherwise to obtain the assistance of counsel, the judge shall appoint counsel to represent and assist the defendant at the preliminary examination, and it shall be the duty of such counsel as an officer of the court and as a member of the Bar to represent and assist the said defendant."

"Section 46. Counsel appointed in such cases shall be entitled to receive for services rendered a fee of \$25.00 in each case.

Within a reasonable time after the close of the preliminary examination, or after any other disposition of the case, counsel shall submit to the judge of this court a bill for services rendered not to exceed the amount herein provided, and such bill, if approved by the Judge shall be submitted by the clerk of this court to the County Treasurer of Jefferson County, Alabama, and the County Treasurer shall pay said bill out of monies in the general fund of Jefferson County, Alabama."

"Section 47. In order to ascertain whether or not a defendant is in fact indigent as required by this Act, the judge may order the sheriff, the district attorney, or any parole or probation officer to investigate the fact of indigency and to file a report respecting said fact with the court."

Section 2. All laws or parts of law in conflict with the provisions of this Act are hereby repealed.

Section 3. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdic-

tion, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, July 3, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 9th day of July, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. King, Hawkins, Gilmore, Cook and Vacca:

S. 509. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Committee on Local Legislation No. 2.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Bailes and King:

S. 510. To amend Title 52, Section 100 of the Code of Alabama, 1940, relating to qualifications and selection of school trustees and to provide that said section shall not apply in counties having a population of 500,000 or more according to the last or any succeeding federal decennial census and to further provide that no school trustees shall be appointed by the county board of education for any county schools in such county.

Committee on Local Legislation No. 2.

By Messrs. Cook, King and Hawkins:

S. 511. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Committee on Local Legislation No. 2.

By Mr. Shelby:

S. 512. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylists; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to Tuscaloosa County.

Section 2. DEFINITIONS—As used in this Act, unless the context otherwise required, the term:

(a) "Barber" shall mean any person licensed under the provisions of this Act to do the work of a barber.

(b) "Barber shop trade" includes shaving and trimming the beard, cutting and dressing the hair, massaging the face and head, giving facial and scalp massage or application of oils, creams lotions, or othe preparations, either by hand or by mechanical appliances, singeing, shampooing or dyeing the hair or applying hair tonic, applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck, and rendering kindred personal services for compensation, provided, however, that such practices when done for the treatment of physical or mental ailments or diseases shall not constitute barbering.

(c) "Barber Shop" means without limitation any establishment having as its primary purpose the rendering for compensation of the several services constituting the barber shop trade.

(d) "Barber School" means without limitation any establishment rendering for compensation the several services constituting the barber shop trade, but having for its primary purpose the teaching, for tuition fees, of the theories and practices of such services.

(e) "Student" shall mean any person attending barber school for the purpose of learning the theories and practice of the barber shop trade and who receive no compensation for so doing.

(f) "Apprentice" shall mean any person practicing in a barber or haircutting shop to acquire the skill of a barber or haircutter after having completed the requirements of a student, under the provisions of this Act.

(g) "Teacher" or "Instructor" shall mean any person who instructs or attempts to instruct another in the science, arts and skills of a barber or haircutter.

(h) "Board" or "The Board" or "Barbers' Commission" shall mean the Board or Board of Commissions created by this Act.

(j) In this Act, words used in the masculine gender include the feminine and neuter genders, and the words used in the neuter gender include the masculine and feminine genders.

(j) "Hairstylist" shall mean any journeymen barber who specializes in the styling of hair.

Section 3. COUNTY BOARD OF BARBER COMMISSIONERS—There is hereby created a Barbers' Commission for Tuscaloosa County. The Governor shall appoint three persons, each of whom, immediately prior to the date of his appointment has been a resident of said county for the past three years, and who has had at least five years experience as a barber; one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years; provided, however, that in the county to which this Act applies two members of said Commission shall be residents of the largest metropolitan area in said county and the third member of said Commission shall be a resident of any smaller metropolitan area in said county; provided further, that in the county to which this Act applies which have in existence at the time of the passage of this Act, a Barbers' Commission, the members of said Commission then serving as such Barbers' Commission shall constitute the initial Board of Barbers' Commissioners of said county and they shall continue in office until the expiration of their respective terms or unless sooner disqualified; thereafter the term of any member appointed and qualified to succeed the members of the Barbers' Commission of said county first appointed shall be for three years and until their successors are appointed and qualified. Vacancies shall be filled in the following manner: The Commission shall, sixty (60) days prior to the expiration of the term of any commissioner of the Barbers' Commission for said county give notice in writing to the licensed barbers of said county that there will be a vacancy on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term, the Barbers' Commission shall within thirty (30) days after such vacancy occurs, give notice to the licensed barbers of said county of the existence of such vacancy. In this event said barbers will be requested to nominate three barbers to fill each vacancy thus occasioned; and to that end a ballot shall be prepared and enclosed along with the letter notifying the barbers of the vacancy or vacancies; the said ballot reading as follows: "I hereby nominate for appointment by the Governor of the State of Alabama to the Board of Barber Commissions for Tuscaloosa County the following named persons: _____"

The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote. In addition to the ballot, the Barbers' Commission shall forward the licensed barber an envelope addressed to the Barbers' Commission and properly stamped with United States postage. When the ballots are returned they shall be opened on the day designated in the notification, in the presence of the Barbers' Commission then serving, and the ballots shall be counted and the names of the three barbers who shall receive the greatest number of votes shall be selected as the three nominees. The Barbers' Commission shall then certify to the Governor of the State of Alabama the names of the three barbers receiving the highest number of votes and the Governor shall appoint one of those three persons thus designated to fill the vacancy. If more than one vacancy exists at any time, there shall be nominated in the manner above designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies, there shall be nine nominees, certified to the Governor of Alabama, who shall select for appointment one nominee from each group thus nominated. The Commission, immediately upon the qualification of the member appointed each year, shall organize by selecting from its members a chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. The members of the Commission shall receive as full compensation for each day actually spent in the work of said Commission the sum of Twenty Dollars (\$20.00) per day; and his actual and necessary expenses thereby incurred, not to exceed \$4.00 per day. The Commission shall appoint and at its pleasure a Secretary-Treasurer and such assistants as may be deemed necessary to discharge and faithfully carry out the duties imposed by the provisions of this Act; provided however, that no person hired hereunder shall be related by blood or marriage to any member of the Commission. The individual so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than Ten Thousand Dollars (\$10,000.00), conditioned to pay any shortage or loss of funds on hand by said Secretary-Treasurer during his term of office, or at the time that he is holding office. Said Commission shall outline the duties and fix the compensation of the Secretary-Treasurer. The Commission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act. The principal office of said Commission shall be located in the county seat of said county, provided, however, that upon the request of said Commission, the County Commissioners of said county shall furnish an office in the Courthouse without charge. The Commission shall adopt a seal with such design engraved thereon as it may prescribe, by which it shall authenticate its proceedings. In addition thereto, the Board is empowered to make reasonable inspection of the barbers and barber shops and barber schools and barber colleges of said county to the end that proper methods of sanitation and sterilization are observed. Copies of all records and papers in the office of the Barbers' Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All the records kept in the office of the Board and under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Board under the provisions of this Act, shall be paid to the Treasurer of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used for purposes not inconsistent with this Act, under the direction of the Commission. Funds may be disbursed by order of the Board on a check being drawn by the Treasurer upon such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all of the expenses incurred by the Board, including the compensation of mem-

bers of the Board and its employes, provided the total expenses for every purpose, incurred shall not exceed total fees and charges collected and paid in to the Treasurer.

Section 4. PROMULGATION OF RULES AND REGULATIONS—

(a) The Board shall have authority to make reasonable rules for the administration of the provisions of this Act. Copies of all rules adopted by said Board shall be furnished to each barber and each barber school or college.

(b) No rule may be adopted or amended at the same meeting at which it is proposed.

(c) All rules adopted hereunder shall have the same force and effect of law unless set aside by a Court of competent jurisdiction or replaced by said Board.

Section 5. APPRENTICE QUALIFICATIONS—

(a) Any person shall be qualified to receive a license as an apprentice barber provided:

1. He is at least eighteen (18) years of age and is of good moral character and temperate habits; and

2. He has graduated from an approved school or college of barbering, which school has been approved or licensed under the provisions of this Act; and

3. He passes a satisfactory examination conducted by the Barbers' Commission to determine his fitness to practice as an apprentice; and

4. He has a 12th grade education or equivalent thereof; and

5. He has obtained a medical certificate as required by this Act; and

6. He has paid the required fee specified by this Act.

(b) An applicant for a license who fails to satisfactorily complete an examination conducted by the Commission may apply for re-examination at any future meeting of the Commission. Upon making application therefor and payment of the required fee, said applicant shall be permitted to again take said examination.

(c) No apprentice may independently practice barbering, but he may, as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a licensed barber.

Section 6. JOURNEYMAN QUALIFICATIONS—

Any person having made application for a Journeyman barber license shall be qualified to receive such license to practice as a barber provided:

(a) He is qualified under the provisions of Section 5 of this Act; and

(b) He has practiced as an apprentice barber for a period of twenty-four (24) months on a full time basis under the immediate personal supervision of a licensed Journeyman barber; and

(c) He has passed a satisfactory examination conducted by the Board to determine his fitness to practice as a Journeyman barber; and

(d) He has paid the required fee specified in this Act.

Section 7. APPLICATION OF NON-RESIDENT BARBERS OR APPRENTICES—

Any apprentice or non-resident barber who is at least eighteen (18) years of age and of good moral character and temperate habits and has a license as an apprentice in another State or County which has substantially the same requirements for licensing an apprentice as is provided in this Act, or who can prove by sworn affidavit that he has practiced in another County or State for at least six months prior to making application in this State, shall upon payment of the required fee, be granted permission to take an examination to determine his fitness to receive a license as an apprentice. Should he pass the required examination, and have complied with all other applicable provisions of this Act, a license as an apprentice shall be issued to him. In this event the time spent in such other State or County as an apprentice shall be credited upon the period of apprenticeship required by this Act, toward qualifying for the examination to determine his fitness to receive a license as a barber.

Section 8. HOW TO MAKE APPLICATION FOR LICENSE:

Any person desiring to practice barbering, or desiring to practice as an apprentice barber, shall file with the Secretary of the Board a written application, under oath, on a form prescribed by the Board, together with two photographs of the applicant 2 x 3 inches in size, and satisfactory proof that applicant is of good moral character and also furnish the Board with a certificate issued by the County Health Department from a practicing medical physician of said county showing that applicant is free from contagious, infectious or communicable, disease, including gonorrhea, syphilis and tuberculosis.

Section 9. EXAMINATIONS—

(a) The Board shall conduct examinations for applicants for licenses to practice as Journeyman, Hair Stylist, barbers and as apprentices at least four times each year, at such times and places as the Board shall determine. Such examination shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools and colleges of barbering approved by the Board. Licenses to Journeyman, Hair Stylist, barbers or apprentices shall be issued by the Board to any applicant who shall have passed the examination therefore, by making an average grade of not less than 70% and who shall possess the other qualifications required by this Act.

(b) Whenever the Board shall be requested to give a special examination, the applicants taking such examinations shall pay an additional fee of \$25.00.

Section 10. BARBER SHOP OPERATOR QUALIFICATIONS—

A person shall be qualified to receive a barber shop operator's license provided:

(a) He holds a Journeyman, Barber or Hair Stylist License; and

(b) He is in compliance with the other applicable provisions of this Act.

Section 11. PERSONS ENTITLED TO LICENSE WITHOUT INITIAL EXAMINATION—

Any present resident of the county to which this Act applies, who is engaged in the practice of barbering for a livelihood without a license or who holds a license as a barber or apprentice, or any barber school or college in operation at the time of the passage of this Act shall auto-

matically be granted a license without an examination by making application to the Commission on or before the 1st day of January, 1968, and upon paying the annual renewal fee specified herein for barbers, apprentices, and barber schools or colleges, provided that such applicant has been issued a medical certificate as required herein. It is further provided that any person licensed under the provisions of this Act, who subsequent to such licensing is unable to obtain the physician's certificate hereinbefore provided for, shall be entitled to an "inactive" license upon compliance with all the other provisions of this Act, and shall be again fully licensed without additional examination, at such time thereafter as he obtains and files the physician's certificate hereabove required.

Section 12. PERSONS, FIRMS OR CORPORATIONS TO WHICH THIS ACT IS NOT APPLICABLE—The following are exempted from the provisions of this Act:

(a) Persons licensed by law of this State to practice medicine, surgery, osteopathy, or chiropractry.

(b) Commissioned medical or surgical officers of the United States Army, Air Force, Navy or Marine hospital service.

(c) Registered Nurses.

(d) Hairdressers and beauty culturists, insofar as their usual and ordinary vocation and profession is concerned, including light hair trimming incidental to waving of all kinds.

(e) Undertakers or morticians.

(f) All barber schools and colleges and instructors employed therein by the State or County Department of Education.

Section 13. DISPLAY OF CERTIFICATE—Every holder of a license shall display it in a conspicuous place in his place of business.

Section 14. FEES—The Board of Barber Commissioners shall charge and collect the following fees:

(a) The original as well as any subsequent examination fee for Journeyman, Hair Stylist, barber or apprentice shall be \$25.00 per examination. Any such fee shall also include the cost of the issuance of any such barber or apprentice license which may thereafter be issued; and \$10.00 thereof shall be refunded if such person fails to pass the examination.

(b) For the annual renewal of a barber or apprentice license, a fee of \$10.00 shall be charged, provided, however, that this fee shall be waived for any barber who has been sick and out of work for as much as one year next preceding that date such fee shall become due, a physician's certificate and affidavit of such barber being submitted as proof of such facts.

(c) For restoration of an expired barber or apprentice license, a fee of \$15.00 shall be charged. Upon the payment of such fee such license shall be restored without examination provided application is made therefor, within a period of one year from the date of the expiration of any such license.

(d) For the application and issuance of a new barber shop operator's license a fee of \$50.00 shall be charged.

(e) For the annual renewal of a barber shop operating license, a fee of \$5.00 shall be charged.

(f) For the application and examination of teacher application and issuance of a teaching certificate or license a fee of \$50.00 shall be charged.

(g) For the annual renewal of a teacher's certificate or license a fee of \$25.00 shall be charged.

(h) All licenses required under this Act shall be renewed annually on or before January 1.

(i) A duplicate license will be issued upon the filing of a statement covering the loss of such license, verified by the oath of the applicant, and accompanied by the payment of a fee of \$10.00 for the issuance of same. Each duplicate license shall have the word, "Duplicate" stamped across the front thereof and will bear the same number as the originally issued license.

Section 15. EXEMPTIONS PERTAINING TO PERSONS IN ARMED FORCES—Any person who, after the passage of this Act, and approval by the Governor, or upon its otherwise becoming a law, shall enter the active military or naval service of the United States, or of this State and who, at the time of such entry, was the holder of a license as a barber, or apprentice, and which license was then in full force and effect, shall be granted a like license upon presentation to such Board of Barber Commissioners of an Honorable Discharge from such military or naval service, dated not more than one year prior to the time of such presentation, and a medical certificate as required under the provisions of this Act, attesting that the person presenting it is free from any contagious or infectious or communicable disease, which certificate shall be dated not more than 30 days prior to the time of such presentation and provided further such person shall pay a fee of \$10.00 for the issuance of such license as required by this Act.

Section 16. GROUNDS FOR SUSPENSION, REVOCATION OR REFUSAL TO ISSUE A RENEWED LICENSE—The Board is hereby vested with the power and authority to refuse to issue or renew as well as the power to suspend or revoke any license for any one or a combination of the following causes:

(a) Conviction of a felony.

(b) Malpractice or incompetency.

(c) When applicant barber or apprentice barber is, or becomes, afflicted with an infectious or communicable disease.

(d) Advertising by false or deceptive means.

(e) Advertising, practicing, or attempting to practice under another's trade name or under another's name.

(f) Habitual drunkenness or habitual addiction to use of morphine, cocaine, or other habit forming drugs.

(g) The violation of any of the sanitary regulations promulgated by either the Barbers' Commission or the Alabama State Department of Health for the regulation of barber shops and barber schools or colleges.

(h) Conviction of a violation of any City Ordinance or County or State law pertaining to the regulations of barber shops or barber schools or colleges.

Section 17. HEARINGS.

No action in refusing to issue or renew or in suspending or revoking a license for any of the causes enumerated in the foregoing Section shall

be taken until the accused has been furnished with a statement of the specific charges against him and notice of the time and place of hearing thereof. The accused may be present at the hearing in person and may be represented by counsel if he so desires. Statement of the charges and notice thereof must be served personally upon such person, or mailed to his last known address at least ten (10) days prior to the hearing. If upon such hearing the Board finds the charges to be true, it may refuse to issue or renew a license or may revoke or suspend such license if the same has been issued.

It shall be the duty of the Board to subpoena witnesses other than character witnesses, for or against the accused upon written request and affidavit that their testimony is necessary, and the production of relevant books and papers may be also procured by subpoena.

A public hearing shall be ordered after not less than ten (10) days written notice to the parties at interest. The Board shall not be bound by the technical rules of evidence but shall seek diligently all of the the information and evidence bearing on the merits of the case.

Within ten (10) days after the conclusion of the hearing, the Board shall render its decision in writing. Copies of the decision shall be delivered to all parties at interest.

The Board may require that testimony introduced at hearings be recorded by a court reporter, but same shall not be transcribed except upon further order.

Any person aggrieved by the decision or ruling of the Board, as provided for in the preceding Section, may appeal from such action to the Circuit Court of said county within ten (10) days after such final determination of the Board, by filing written notice thereof with the Board. Upon any such appeal a trial shall be de novo.

Section 18. BARBER SCHOOL PREREQUISITIES—

(a) An application for a license and approval as a registered school or college of barbering shall contain, under oath, the following:

1. The full name of the applicant.
2. The residence of the applicant, and if an Association or corporation, the same information of the members of the association and of the stockholders and directors of the corporation.
3. The exact location where the school or college is located or proposed to be located.
4. Whether or not the school or college is owned or leased, and if leased, the name and residence of the owner, or if an Association or corporation, the same information of the members of the Association and of the directors and stockholders thereof.
5. Evidence that a bond in the amount of \$25,000.00 has been filed with the State Treasurer and made payable to the State of Alabama, conditioned upon the faithful compliance of the barbering school or college with all the provisions of this Act.

(b) No private school or college of barbering which does not come within the jurisdiction of the Alabama State Board of Education shall be approved by the Commission and no license shall be issued to operate or conduct any such school or college of barbering unless and until such school or college shall have complied with all of the required provisions of this Act.

(c) No person, firm or corporation may be licensed to operate or conduct said barber school or college in said county unless the owner be a citizen of the United States and a qualified elector of Alabama, and if a corporation, the officers thereof shall be so qualified, and unless each person who is directly connected with the instructional program shall have had at least four years of continuous experience as a licensed barber in said county; that all of such teachers are citizens of the United States and have been resident citizens of said county for at least four years; provided, however, any licensed barber may be hired to assist in giving practical instruction in any barber school or college.

(d) Upon receipt of application for registration or license for a privately owned and operated barber school or college not coming within the jurisdiction of the Alabama State Department of Education, said Commission shall make investigation of the applicant, the qualifications of the teachers of the school or college and the equipment, appliances and sanitary facilities thereof and determine whether the course of study maintained by such school or college, practical and otherwise, is designed to equip students with sufficient knowledge of barbering so that they may pursue the same in said county, in accordance with the provisions of this Act, Alabama Statutes, and the rules and regulations prescribed by said County Barber Board and if upon such investigation, the Board finds that such applicant meets the requirements of law, and that said school or college has adopted a curriculum approved by the Board, a barbering school or college license shall be issued to said applicant upon the payment of a fee of \$500.00. Unless otherwise disqualified, a school or college license may be renewed each year thereafter by the payment of a license fee of \$50.00. All such licenses shall be renewed on or before January 1 of each year. Any school or college failing to renew its license on or before January 1 of each year, may renew said license, if otherwise qualified by paying a renewal fee, plus a penalty of \$10.00 per month for each month or part thereof that said license is delinquent, provided that no such license can be thus renewed after twelve months delinquency.

(e) Every licensed barber school or college where students are instructed shall display a sign at each entrance to the school in at least six-inch lettering, stating that all work in said school or college is done by students.

(f) Any licensed school or college which may register a student, or students, shall immediately certify all such students to the Board for a qualified certificate. The school or college shall submit names, addresses, a doctor's certificate certifying each such student is free from any contagious disease, educational record showing the applicant to have graduated from the 12th grade or its equivalent as determined by the State Department of Education, and any other information which the Board may deem necessary. Each applicant shall be accompanied by a student's registration fee of \$2.00, upon receipt of which, if the student is found to be qualified, the Board shall issue a qualified student certificate.

(g) Every licensed barber school or college shall have not less than one instructor for every 15 students at such school or college.

Section 19. MISCELLANEOUS PROVISIONS—

(a) Nothing contained in this Act shall be construed to prevent the Department of Health of the State of Alabama or any local Board of Health or other board or body, exercising the powers of such local boards, from enacting and enforcing ordinances, codes, rules and regulations pertaining to sanitation in barber shops, in excess of the provisions of this Act, for which authority they have been or may be granted by law.

(b) No owner or manager of a barber shop or barber college shall employ any person as a maid or porter unless said person has on file a health certificate signed by a licensed practicing physician stating that said employee is free from any communicable or contagious disease or from a venereal disease.

(c) Any person or corporation who shall practice barbering or maintain a school of barbering or a barber shop, or act in any capacity where any certificate or license is required under this Act without a certificate or license as provided in the Act, or shall in any other form or manner violate any of the provisions of the Act or any rules and regulations of the Board, shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Section 20. SEVERABILITY—

The Sections of this Act and the parts of each Section are hereby declared to be independent parts of Sections, and the holding of any Section or part thereof to be void, ineffective, or unconstitutional for any cause, shall not affect the other sections or parts thereof, and it is now declared that the other parts or sections would have been enacted regardless of any section or parts of sections which might be held unconstitutional, inoperative or ineffective.

Section 21. REPEALING CLAUSE—

All laws or parts of laws inconsistent or in conflict with this Act are hereby expressly repealed, it being the legislative intent that the terms of this Act shall be fully effective and all laws or parts of laws heretofore enacted to the contrary, notwithstanding.

Section 22. EFFECTIVE DATE OF ACT BECOMING LAW—

The provisions of this Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 2nd, 1971.

LaJUNE BURNETT,
Notary Public.

By Mr. Littleton:

S. 513. To amend Act No. 867, Regular Session of 1965, an Act creating the Board of Nursing.

Committee on Health.

By Mr. Givhan:

S. 514. To amend Section 8 of Act No. 434, H. 706, Legislature of 1969, Regular Session, approved August 19, 1969 (Acts of 1969, p. 840), an Act to regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances by amending said Section 8 of said Act to authorize the State Board of Agriculture and Industries to provide an alternate method of payment of the per ton inspection fee levied upon the sale of commercial fertilizers sold in Alabama or sold for importation and use therein.

Committee on Agriculture.

By Messrs. Pierce and Jones:

S. 515. To amend the title and Sections 1 and 2 of Act Number 481, H. 872, Regular Session 1961, as amended, pertaining to providing recreational facilities and services for cities.

Committee on Local Legislation No. 1.

By Messrs. Noonan and Pelham:

S. 516. To amend Code of Alabama, 1940, Title 13, Section 353, which relates to practice and rules governing juvenile courts, amending such section relative to the rule requiring privacy of records in cases involving second or subsequent offenses.

Committee on Judiciary.

By Messrs. Pelham and Edington:

S. 517. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homestead; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

Committee on Judiciary.

By Mr. Edington:

S. 518. Authorizing consent to legally authorized medical, dental, health and mental health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

Committee on Judiciary.

By Messrs. Edington, Noonan and Pelham:

S. 519. To repeal Act No. 356, H. 627, approved August 30, 1963, entitled, "An Act relating to powers of cities having populations of not less than 200,000 and not more than 300,000, according to the last or any subsequent Federal Decennial Census; authorizing the governing bodies of such cities to adopt ordinances, which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act, "(Acts of Alabama 1963, vol. 2, p. 855)"; and to repeal the two Acts amending the above Act viz. Act No. 613, H. 1145, approved August 30, 1965, (Acts of Alabama, Regular Session 1965, vol. 2, p. 1127), and Act No. 83, H. 140, approved September 30, 1965, (Acts of Alabama, 2nd Special Session 1965, vol. 1, p. 113).

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 520. Relating to the powers of cities having populations of not less than 175,000 nor more than 275,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 521. To amend the Title and Section 1 of Act No. 126, H. 158, Second Special Session 1963 (Acts 1963, p. 314), which provides for advisory referendum elections in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 522. To amend the Title and Section 1 of Act No. 435, H. 402, Special Session 1966 (Acts 1966, p. 580), which provide for a retirement pension for certain elected public officials in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 523. To amend the Title and Section 1 of Act No. 749, S. 570, Regular Session 1967 (Acts 1967, p. 1603), which authorizes and provides for the payment of supplemental retirement benefits to certain municipal employees in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 524. To amend the Title and Section 1 of Act No. 613, H. 1179, Regular Session, 1961 (Acts 1961, p. 729), which authorizes certain cities classified on a population basis to make payments to widows and children of former deceased employees of such cities.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 525. To amend the Title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 526. To amend the Title and Section 1 of Act No. 716, H. 1012, Regular Session, 1967 (Acts 1967, p. 1553), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 527. To amend the Title and Section 1 of Act No. 502, S. 445, Regular Session 1963 (Acts 1963, p. 1084), which provides for the reduction of the corporate limits of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 528. To amend the Title and Section 1 of Act No. 823, S. 138, Regular Session 1965 (Acts 1965, p. 1539), which further provides for the form of government of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 529. To amend the Title and Section 1 of Act No. 39, H. 67, Special Session 1962 (Acts 1962, p. 50), which provides for the appointment of an administrative assistant in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 530. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 175,000 nor more than 275,000 population according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 531. To amend the Title and Section 1 of Act No. 682, H. 937, Regular Session, 1967, (Acts 1967, p. 1508), which provides for a retirement pension for certain elected public officials of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 532. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 533. To amend the Title and Section 1 of Act No. 458, H. 501, Regular Session, 1967, (Acts 1967, p. 1150), which provides that certain cities classified on a population basis shall be empowered to offer rewards for apprehension of criminals.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 534. To amend the Title and Section 1 of Act No. 227, H. 137, Special Session 1964 (Acts 1964, p. 313), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 535. To amend the Title and Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 536. To amend the Title and Section 1 of Act No. 255, H. 269, Special Session 1964 (Acts 1964, p. 351), as amended by Act No. 379, H. 427, Special Session 1966 (Acts 1966, p. 523), which provides for the compensation of the ex officio judge of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 537. To amend the Title and Section 1 of Act No. 33, H. 48, Special Session 1970 (Acts 1970, p. 2655), which authorizes certain cities classified on a population basis to make appropriations to any State institution of higher learning.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 538. To amend the Title, Section 1, and Section 2 of Act No. 666, H. 916, Regular Session 1967 (Acts 1967, p. 1487), which provides for the administration of property for parking facilities.

Committee on Local Legislation No. 1.

By Messrs. Edington, Noonan and Pelham:

S. 539. To amend the title and Section 1 of Act No. 194, S. 99; Special Session 1969 (Acts 1969, p. 257), which Act provides for a public transit system in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Register:

S. 540. Relating to eminent domain proceedings; providing for courts to invest and reinvest monies deposited in eminent domain proceedings; and for crediting interest earned to the account of the condemning authority.

Committee on Judiciary.

By Messrs. Register, Noonan, Cooper, Dozier, Pelham, Shelby, Harris, O'Bannon, Lybrand, Vacca, Hawkins and Gilmore:

S. 541. To amend Act No. 1126, S. 378, Legislature of Alabama of 1969, approved September 13, 1969, (Acts of Alabama, 1969, Special Session 1970, Vol. III, p. 2084), entitled "An Act to provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.", by amending Section 8 thereof relating to State Aid and to provide for financial support on an annual basis for all certified regional planning and development commissions encompassed by the provisions of said Act.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 542. To amend Section 1 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to include enforcement officers of conservation laws within the provisions of said Act.

Committee on Finance and Taxation.

By Messrs. Harris, Foshee, Branyon and Bailes:

S. 543. To provide that all fines and forfeitures collected from persons convicted of violating any provision of Chapter 1, Title 36, Code of Alabama 1940, as amended, relating to rules of the road or laws regulating traffic or operation of motor vehicles, including all penalties collected for moving traffic violations as prescribed in the Act No. 244, H. 84, Special Session 1964 (Acts 1964, p. 335), shall be forwarded to the state treasurer; and to provide for the use of such funds; to prohibit the retention of any portion of such funds for the use of the county in which they are collected; to prescribe penalties for violations; to provide for fines and forfeitures collected by recorders courts or municipal courts for violations of certain ordinances in cities and towns of a certain size to be paid into the treasury of the municipality in which they are collected; to repeal conflicting laws and to repeal specifically the following laws: Act No. 298, H. 79, Regular Session 1945 (Acts 1945, p. 494); Act No. 11, H. 10, Second Special Session 1955 (Acts 1955, p. 120); Act No. 649, S. 500, Regular Session 1965 (Acts 1965, p. 1174); Act No. 171, H. 60, Special Session 1966 (Acts 1966, p. 199); Act No. 255, H. 381, Special Session 1966 (Acts 1966, p. 378); Act No. 265, S. 45, Regular Session 1967 (Acts 1967, p. 758); Act No. 764, H. 430, Regular Session 1967 (Acts 1967, p. 1621); Act No. 767, H. 523, Regular Session 1967 (Acts 1967, p. 1624); Act No. 907, H. 1282, Regular Session 1969 (Acts 1969, p. 1635) and Section 33 of Act No. 63, H. 126, Regular Session 1967 (Acts 1967, p. 387).

Committee on Finance and Taxation.

By Mr. Cooper:

S. 544. To amend Section 2 of Act No. 613, Section 190, Regular Session 1969 (Acts of 1969, p. 1119), relating to the prohibition of feeding garbage to swine by exempting the Board of Corrections and State Mental Health Board from the provisions of the Act.

Committee on Health.

By Mr. Wilson:

S. 545. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 546. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 547. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 548. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any citizen of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 549. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the

state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lybrand:

S. 550. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 551. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 552. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Committee on Judiciary.

By Messrs. Harris and Dozier:

S. 553. To require that elected county officials whose compensation, in whole or in part, consists of fees collected in connection with the performance of any official duties of such office shall cause to be published at specified times a sworn statement indicating the amount of such fees so received.

Committee on County Government.

By Mr. Harris:

S. 554. To require professional liability insurance carriers to make annual reports of certain information to the Insurance Commissioner.

Committee on Insurance.

By Mr. Harris:

S. 555. To amend further Code of Alabama 1940, Title 51, Section 788, as amended, which section enumerates the persons and property subject to the state use tax, in order to delete therefrom house trailers.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turner and Cottingham:

H. 52. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 52. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bank, Culver, Carnes, Gloor, Turnham, Grainger, Coshatt, Robertson and Parker (T):

H. 295. To amend Act No. 881, H. 699 of the Regular Session of 1965 (Acts of 1965, p. 1649), the Act providing for the establishment of the state department of mental health and incident thereto the state board of mental health, so as to amend such law in relation to the qualifications for membership on the state board of mental health and the term of office of such trustees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 295. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 284. To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

Also:

S. 291. Relating to Greene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures and other property within such buildings; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cottingham and Turner:

H. 845. To apply only in counties having populations of not less than 54,500 nor more than 56,000; enabling the County Governing Body to pay dues and expenses to meetings for elected and appointed county officials.

Also:

By Messrs. Crowe and Naramore:

H. 871. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Mr. Owens:

H. 885. To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio Clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to authorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and/or judgment entry to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio Clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to authorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and-or judgment entry

to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect prosecution of persons charged with a misdemeanor in Bibb County, Alabama, may be begun, by affidavit made before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County and warrant of arrest issued thereon by said Clerk returnable to the County Court; and thereupon the jurisdiction of the County Court shall attach, and the case shall proceed to trial upon said affidavit and warrant in the County Court of Bibb County, Alabama, under the same rules and procedures as is provided by law in misdemeanor cases.

Section 2. In all cases instituted in the manner provided in section 1 of this Act the defendant may appear before the Clerk of said Court and make and enter a plea of guilty, without the presence of the Judge of said Court, and the Clerk may receive and enter of record the plea, and set, assess, or fix the defendant's fine within the limits allowed by law for such case and receive payment thereof; and in such event the Judge of the Court may enter a formal minute entry and-or judgement entry thereafter in such case without the presence of the defendant.

Section 3. This Act is accumulative and shall not be construed so as to interfere in any manner or affect prosecutions for misdemeanor as otherwise provided under the law, in the County Court of Bibb County, Alabama.

Section 4. All laws or parts of laws which conflict with this Act are repealed. This Act shall become effective immediately upon its passage and approval by the Governor of Alabama, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the THE CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me June 24, 1971.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Grey (D):

H. 979. Relating to the twenty-fourth judicial circuit; to provide a secretary for the district attorney; to provide for compensation thereof, and to provide for proportional payment by the counties constituting said circuit.

Also:

By Mr. Grey (D):

H. 980. To amend Section 1 of Act No. 47, H. 46, Second Special Session 1956 (Acts 1956, p. 339), (codified at Section 125 (91), Title 13, Code of Alabama 1940, Recompiled 1958) which provides a law enforcement fund for the use of the circuit judge and circuit solicitor of the twenty-fourth judicial circuit.

Also:

By Mr. Lang:

H. 989. To fix the compensation of bailiffs of courts in all counties having populations of not less than 18,500 nor more than 20,500.

Also:

By Messrs. Williams, Baker and Chesnut:

H. 997. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Also:

By Messrs. Williams, Chesnut and Baker:

H. 998. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1003. To alter, rearrange, extend and enlarge the boundary lines and Corporate limits of the Town of Dutton, Alabama, in Jackson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and enlarge the boundary lines and Corporate limits of the Town of Dutton, Alabama, in Jackson County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The boundaries of the Town of Dutton in Jackson County, Alabama, be and the same are hereby altered, rearranged, extended and enlarged so as to include within the Corporate limits of said city the following described territory:

Beginning at the Northwest corner of Section 8, Township 5 South, Range 7 East of the Huntsville Meridian in Jackson County, Alabama; thence run eastward with the north boundary of said Section 8 to the northeast corner of said Section 8; thence continue eastward with the

north boundary of Section 9, Township 5 South, Range 7 East of the Huntsville Meridian in Jackson County, Alabama, to the northeast corner of said Section 9; thence run southward along the east boundary of said Section 9 to the southeast corner of said Section 9; thence continue southward along the eastern boundary of Section 16, Township 5 South, Range 7 East of the Huntsville Meridian in Jackson County, Alabama, to the southeast corner of said Section 16; thence run westward along the southern boundary of said Section 16 to the southwest corner of said Section 16; thence continue westward along the southern boundary of Section 17, Township 5 South, Range 7 East of the Huntsville Meridian to the southwest corner of said Section 17; thence run northward along the western boundary of said Section 17 to the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, Township 5 South, Range 7 East of the Huntsville Meridian in Jackson County, Alabama; thence run westward along the south boundary of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 7 to the southwest corner of said forty; thence run north along the western boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7 to the northwest corner of said forty; thence run eastward along the north boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7 to the northeast corner of said forty; thence run north along the western boundary of said Section 8, Township 5 South, Range 7 East of the Huntsville Meridian in Jackson County, Alabama, to the northwest corner of said Section 8 and to the point of beginning.

SECTION 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 30, May 7, May 14, and May 21, all in the year 1971.

JAMES K. HARKNESS.

Sworn to and subscribed before me June 1, 1971.

ILLAH F. TRUSTY,
Notary.

Also:

By Mr. Lang:

H. 1037. To amend the title and Section 1 of Act No. 430, H. 696, Regular Session 1963 (Acts 1963, p. 954), which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 1038. To amend the title and Section 1 of Act No. 345, H. 981, Regular Session 1963 (Acts 1963, p. 838), which authorizes, provides for the licensing of and regulates the operation of, and hunting on privately owned hunting preserves stocked with artificially propagated upland birds in certain counties classified on a population basis.

Also:

By Messrs. Warren and Mims:

H. 1030. Relating to judicial procedure in the Thirty-Fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to judicial procedure in the Thirty-Fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. If the accused and his counsel and also the prosecuting attorney, in the Thirty-Fifth Judicial Circuit of Alabama, in any prosecution for felony, whether capital or non-capital, consent thereto in open court, the trial court, in its discretion, may permit the jury trying the case to separate during the pendency of the trial, whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 2. It shall be improper for the trial court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they consent to a separation of the jury pending the trial.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 24, 1971.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to judicial procedure in the Thirty-fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. If the accused and his counsel and also the prosecuting attorney, in the Thirty-fifth Judicial Circuit of Alabama, in any prosecution for felony, whether capital or non-capital, consent thereto in open court, the trial court, in its discretion, may permit the jury trying the case to separate during the pendency of the trial, whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to that accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 2. It shall be improper for the trial court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they consent to a separation of the jury pending the trial.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me June 17, 1971.

FRANCES REID NETTLES,
Notary Public and Adv. Mgr.

Also:

By Messrs. Warren and Mims:

H. 1031. To regulate further the excusing of persons from jury service in the Thirty-Fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the excusing of persons from jury service in the Thirty-Fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Be It Enacted by the Legislature of Alabama:

Section 1. Any circuit judge in the Thirty-Fifth Judicial Circuit of Alabama who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may, in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court. No juror who is excused pursuant to the provisions of the Section shall be entitled to his mileage fee and per diem fee for the day on which he originally appears and is excused; and for his services during the subsequent week in which he is required to serve he shall receive the same fees as if he was originally summoned to serve during that week.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 24, 1971.

My commission expires April 7, 1973.

HAROLD ADAMS,
Notary Public.

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the excusing of persons from jury service in the Thirty-fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Be It Enacted by the Legislature of Alabama:

Section 1. Any circuit judge in the Thirty-fifth Judicial Circuit of Alabama who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may, in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court. No juror who is excused pursuant to the provisions of this Section shall be entitled to his mileage fee and per diem fee for the day on which he originally appears and is excused; and for his services during the subsequent week in which he is required to serve he shall receive the same fees as if he was originally summoned to serve during that week.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me June 17, 1971.

FRANCES REID NETTLES,
Notary Public.

Also:

By Messrs. Warren and Mims:

H. 1032. To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-Fifth Judicial Circuit of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-fifth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Thirty-fifth Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me June 17, 1971.

FRANCES REID NETTLES,
Notary Pubic, Adv. Mgr.

A BILL
TO BE ENTITLED
AN ACT

To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-Fifth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Thirty-Fifth Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 24, 1971.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 1033. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

Also:

By Messrs. Jones (F) and Taylor:

H. 983. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the NE $\frac{1}{4}$ of Section 29, Township 17 N, Range 18 E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in the NE $\frac{1}{4}$ of Section 29, Township 17N, Range 18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning of the intersection of the west line of The Lower Wetumpka Road and the north line of Section 29, T17N, R18E, Montgomery County, Alabama, said point of beginning being on the present City Limit line of the City of Montgomery, Alabama; thence east along the north line of said Section 29 to the northeast corner of said Section 29; thence south along the east line of said Section 29 a distance of 2227' more or less to the intersection of the eastern extension of the south line of the Map of Boylston Park Plat, as the same is filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 14, Page 51; thence west along the south line of the eastern extension of said Map of Boylston Park 550'; thence west along the south line of said Map of Boylston Park 881.85' to the southwest corner of said Map of Boylston Park; thence continuing west along the western extension of the south line of Boylston Park 176.55'; thence northerly 185.2' to a point on the

south line of Johnson Avenue, said point being 173.4' west of the north-west corner of Lot "O" of said Map of Boylston Park; thence west along the south line of Johnson Avenue to a point on the west line of Lower Wetumpka Road and the present City Limit line; thence northeasterly along the west line of Lower Wetumpka Road and the present City limit line to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, Kathleen Meads, a Notary Public, in and for said County in said State, personally appeared Guyton Parks, who is known to me, and who, first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of "The Advertiser Company", publishers of the Advertiser-Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama; that the foregoing and attached is a true copy of a "Legal Notice" of the City of Montgomery, Alabama, which appeared in the regular edition of the said newspaper published in said City and County of Montgomery, and State of Alabama on Feb, 11, 18, 25 and March 4, 1971.

GUYTON PARKS.

Sworn to and subscribed before me, this 28th day of June, 1971.

KATHLEEN MEADS,
Notary Public, Montgomery County.

Also:

By Messrs. Jones (F), Hobbie and Taylor:

H. 1036. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 845, 871, 885, 979, 980, 989, 997, 998, 1003, 1037, 1038, 1030, 1031, 1032, 983 and 1036. To the Committee on Local Legislation No. 1.

H. B. 1033. To the Committee on Municipal Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stokes, Callahan, Roberts, Nettles, Lyons, Therrell and Downing:

H. 822. To amend further Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by providing for an additional legal stenographer for such circuit.

Also:

By Messrs. Stokes, Callahan, Roberts, Nettles, Lyons, Therrell and Downing:

H. 823. To amend further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

STATE, OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 13, Section 254, as amended, is hereby amended further to read as follows:

"Section 254. Deputy or assistant district attorneys of the thirteenth judicial circuit. — The circuit solicitor of the thirteenth judicial circuit may appoint four deputies or assistant solicitors, who shall be appointed and serve in lieu of all other deputy circuit solicitors heretofore provided for by law. The four deputy circuit solicitors or assistants herein provided for shall serve at the pleasure of the circuit solicitor, and each shall be assigned a numbered position and receive compensation as follows:

"(a) Deputy No. 1 may serve either full time or part time, as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of twelve thousand dollars, seven thousand two hundred dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he only serves part time, he is entitled to an annual salary of six thousand dollars, all of which shall be paid from the state treasury.

"(b) Deputy No. 2 may serve either full time or part time, as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of eight thousand four hundred dollars, four thousand eight hundred dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he serves only part time, he is entitled to an annual salary of four thousand eight hundred dollars, all of which shall be paid from the state treasury.

"(c) Deputy No. 3 shall serve part time only and is entitled to a salary of three thousand six hundred dollars a year, of which three thousand dollars shall be payable from the state treasury and the remainder shall be paid by the county.

"(d) Deputy No. 4 shall serve part time only and is entitled to a salary of three thousand six hundred dollars a year, one thousand eight hundred dollars of which shall be paid from the state treasury and the remainder shall be paid by the county.

"The salaries of the deputy solicitors herein provided for shall be paid in equal monthly installments on warrants drawn in the manner prescribed by law. When any deputy of the solicitor serves part time only, he shall not be subject to the restrictions against practicing law prescribed by subsection 12 of Section 229 of this title.

"The district attorney of the thirteenth judicial circuit of Alabama, in addition to the four deputy or assistant district attorneys now provided for, may appoint a full-time deputy or assistant district attorney who shall serve at the pleasure of the district attorney. The said full-time deputy or assistant district attorney shall devote his entire time to the discharge of the duties of the office and is prohibited from practicing law directly or indirectly in any court of this state or of the United States or in any other manner or form whatsoever, except in the discharge of the official duties of his office.

"The said full-time deputy or assistant district attorney shall be paid an annual salary of \$17,500.00 dollars, 10,295.00 dollars of which shall be paid from the state treasury and the remainder shall be paid out of the general fund of Mobile County, both in equal monthly installments.

"The district attorney of the Thirteenth Judicial Circuit, in addition to the four deputy or assistant district attorneys and the one full-time deputy or assistant district attorney now provided for by law, may appoint a second and third full-time deputies or assistant district attorneys who shall serve at the pleasure of the district attorney. The said second and third full-time deputies or assistant district attorneys shall devote their entire time to the discharge of the duties of the office and are prohibited from practicing law directly or indirectly in any court of this state or of the United States or in any other manner or form whatsoever, except in the discharge of the official duties of the office.

"The second full-time deputy or assistant district attorney shall be paid an annual salary of \$15,000.00, \$8,075.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments.

"The third full-time deputy or assistant district attorney shall be paid an annual salary of \$13,500, \$6,750.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Egan, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1971.

W. F. EGAN.

Sworn to and subscribed before me June 18, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Collins, Callahan, Perloff, Therrell, Roberts and Lyons:

H. 653. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

Also:

By Messrs. Perloff, Stokes, Nettles, Callahan, Therrell, Roberts and Lyons:

H. 499. To further amend Section 13 of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, as amended, entitled: "An Act, To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraisers appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property, to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

Also:

By Messrs. Perloff, Stokes, Nettles, Callahan, Therrell, Roberts and Lyons:

H. 500. To amend Section 94 of Title 51, Code of Alabama 1940, as heretofore amended, which relates to the term of service and compensation of members of county boards of equalization.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 822, 823 and 653. To the Committee on Local Legislation No. 1.

H. B.'s 499 and 500. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, Williams, Merrill, Lyons, Turnham, Gloor, Adwell, Burgess, Mathews, Casey, Fite, Bank and Pruitt:

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

Also:

By Messrs. Drake, McCorquodale, Merrill, Williams, Turnham, Lyons, Gloor, Adwell, Burgess, Mathews, Stubbs, Casey, Fite, Bank and Pruitt:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorized the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum products; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

Also:

By Messrs. Drake, Turnham, Williams, Merrill, Lyons, Gloor, Adwell, Burgess, Mathews, Stubbs, Casey, Fite, Bank and Pruitt:

H. 49. To amend Section 30 of Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064), as amended by Act No. 477, S. 337, Regular Session of 1969, (1969 Acts, p. 933); so as to increase the registration fee levied by sub-section E of the said Section 30, and so as to make further provisions as to the disposition of the proceeds from the said registration fee:

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 47, 46 and 49. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, McCorquodale, Williams, Turnham, Lyons, Merrill, Gloor, Adwell, Burgess, Mathews, Stubbs, Casey, Fite, Bank and Pruitt:

H. 50. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$135,000,000 aggregate principal amount of bonds in addition to those heretofore authorized to be issued by the Authority; to provide for the method of execution of the said bonds and other details pertaining thereto; to provide that the bonds shall be sold only at public sales and to make provisions respecting such sales, and the application of the proceeds from the sale or sales thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the Authority appropriated and pledged in this act; to provide that the said bonds while not registered shall constitute negotiable securities even though payable from a limited source; to provide that bonds at any time issued by the Authority and by Alabama Highway Finance Corporation, or either of them, and at the time outstanding may be refunded by the issuance by the Authority of refunding bonds and that the limitation on the amount of the bonds issued by the said Authority under this act shall not apply to refunding bonds issued under this act; to provide that the bonds and the income therefrom shall be exempt from taxation; to provide that the bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of the bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that if any portion of this act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee as follows:

H. B. 50. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 87. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 13, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the Resolution, H. J. R. 87, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 43. Relative to the adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, Lutz, Hearn, King and Hale:

H. J. R. 81. COMMENDING S. R. BUTLER HIGH SCHOOL BAND OF HUNTSVILLE.

Also:

By Messrs. Hale, King, Hearn, Lutz, and Grainger:

H. J. R. 82. COMMENDING THE HUNTSVILLE JAYCEES.

Also:

By Mr. McCluskey:

H. J. R. 83. COMMENDING THE SYLACAUGA FRIENDSHIP CLUB ON THEIR OUTSTANDING CONTRIBUTIONS TO THEIR COMMUNITY.

Also:

By Mr. Headley:

H. J. R. 85. Mourning the passing of Mr. Charles B. Cox and memorializing him for his devoted, unselfish, untiring service to Chilton County and Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 81, 82, 83 and 85, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate:

S. 13. Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than twelve years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought in the Circuit Court of Montgomery County, Alabama, in Equity; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of education for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the provisions of this Act shall be severable; and providing for the effective date of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Horne, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 13, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 13

Amend S. B. 13, Section 4, after the phrase "appropriate school principal", by inserting the words "the individual child's parent or guardian,".

Further amend S. B. 13, Section 8, by inserting after the first sentence the following sentence:

"Provided, however, the child's parent or guardian shall be informed of the reasons for such classification".

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by striking the word "public" in Section 6 (5) and by striking the words "Alabama Institute for Deaf and Blind; Alabama State Training School for Girls; Alabama Boys Industrial School at Mt. Meigs; Alabama Boys Industrial School at Birmingham;" in said section.

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by adding a new paragraph in Section 7 as follows:

"(d) Upon the conclusion of the initial five-year plan period provided for in this Act, the State School Board shall allocate teacher units by the method provided for in this Section 7 to each public state institution which provides residential care for exceptional children, such as, for example: Alabama Institute for Deaf and Blind; Alabama State Training School for Girls; Alabama Boys Industrial School at Mt. Meigs; Alabama Boys Industrial School at Birmingham; to the extent that appropriations for such teacher units are not otherwise provided for by law."

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by striking the period in Section 3 immediately following the words "needed to carry out the provisions of this Act" and adding immediately following thereafter the following:

", if such funds are available without impairment of regular classes and services provided for non-exceptional children. If sufficient funds are not available to a school board to provide fully for all the provisions of this Act as well as the educational needs of non-exceptional children, such board must prorate all funds on a per capita basis between exceptional and non-exceptional children."

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by inserting in Section 4 just before the words "If no such plan can be agreed upon" the following sentence: "Provided, however, that disapproval of a plan or any amendments thereto shall be only because of failure of the plan to meet minimum standards set out in regulations of the State board adopted in accordance with Section 5 of this Act, and any such disapproval must specify in detail the reasons for such disapproval."

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by inserting in Section 5 just after the words "whose plans are disapproved," the following sentence: "Provided, however, that disapproval of a plan or any amendments thereto shall be only because of failure of the plan to meet minimum standards set out in regulations of the State board adopted in accordance with Section 5 of this Act, and any such disapproval must specify in detail the reasons for such disapproval."

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by inserting in Section 6 just after the words "once every two years" the following sentence: "Provided, however, that disapproval of a plan or any amendments thereto shall be only because of failure of the plan to meet minimum standards set out in regulations of the State board adopted in accordance with Section 5 of this Act, and any such disapproval must specify in detail the reasons for such disapproval."

AMENDMENT TO S. B. 13

Amend S. B. 13 by striking out all of Section 5 following the words "its regulations and the requirements of this Act." and inserting in lieu thereof the following: "If any local board fails or refuses to implement the plan provided for under this Act, the Attorney General shall upon request of the State Board of Education, or upon the request of any private citizen, bring civil injunctive suits to enforce the implementation of such plan. If the State Board fails or refuses to carry out any duties required of it by this Act, the Attorney General shall upon the request of any private citizen, bring civil suits in Montgomery County to require that such duties be performed."

AMENDMENT TO S. B. 13

Amend S. B. 13 by adding thereto a new Section 6 (6) as follows:

"Section 6 (6). The enrollment of exceptional children at appropriate state institutions for such children, which enrollment shall relieve the school board from any further responsibility for any such child during the period of such enrollment."

AMENDMENT TO S. B. 13

Amend Senate Bill 13 by striking from the title after the words "enforceability of implementation plans through suits and actions authorized to be brought" the words "in the Circuit Court of Montgomery County, Alabama, in Equity;"

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Branyon	Foshee	Littleton	Pelham
Carr	Gilmore	Lybrand	Pierce
Cook	Hammond	McLain	Register
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—29

Nays:

—0

RESOLUTIONS

Messrs. Wilson and Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. Resolution inviting Sumiton Choral Group to perform before Joint Session of House and Senate.

WHEREAS, The Youth Choir of the Sumiton Church of God is a group of young people from Walker County, Alabama who have demonstrated their ability to sing chorally the songs of the Christian Church, and

WHEREAS, The Youth Choir of the Sumiton Church of God has harmoniously represented the State of Alabama by placing Third in a national choral competition and has recently toured the State of Florida performing songs in concert, and

WHEREAS, Among the members of the Houses of the Alabama Legislature, there are those who sincerely appreciate the rendition of Christian songs by an accomplished choir; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature does hereby extend a most cordial invitation to the Youth Choir of the Sumiton Church of God to visit the Legislature of the State of Alabama and perform a concert of Christian songs before a joint session of the Senate and the House of Representatives of the State of Alabama on the date of the first joint session that meets their convenience.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Youth Choir of the Sumiton Church of God.

On motion of Mr. Wilson, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Wilder offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. NAMING THE ATHLETIC FIELDS AT ALEXANDER CITY STATE JUNIOR COLLEGE IN HONOR OF COLONEL WILLIAM P. DEJARNETTE.

WHEREAS Colonel William P. DeJarnette is and always has been dedicated to the advancement of educational opportunities to young men in all walks of life; and

WHEREAS Colonel DeJarnette is a native Alabamian who has served his country in World War II as an army engineer, and has served the State of Alabama Highway Department in many capacities since 1924; and

WHEREAS Colonel DeJarnette has been instrumental in the organization and development of engineering programs at Alexander City State Junior College; and

WHEREAS his life long belief that a strong mind must have a healthy body has caused Colonel DeJarnette to spend much personal time and effort in the development of health and physical educational programs; and

WHEREAS he has been instrumental in the development of the health, education, and athletic fields at the Alexander City State Junior College so that students from all over Alabama who attended this college could have the benefit of well planned physical facilities for health training; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor of Colonel DeJarnette's service to the young people of Alabama and especially to those living in the area served by Alexander City State Junior College that the health and athletic fields of this institution be named "The William P. DeJarnette Health and Athletic Fields", with an attached slogan, "In honor of this man's dedication to young people, these fields are dedicated to his belief that the inquisitive mind deserves a healthy body."

BE IT FURTHER RESOLVED, That the Secretary of the Senate send a copy of this resolution to Colonel DeJarnette and the Alexander City State Junior College.

And said resolution, S. J. R. 47, was read and ordered to lay over on the Secretary's desk.

POINT OF PERSONAL PRIVILEGE

Mr. Hammond stated that had he been present when the vote was taken on passage of H. B.'s 517 and 518, he would have voted "Aye".

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 372. To be known as the "Consumer Protection Bill", delegating authority and prescribing responsibilities, to prohibit illegal, fraudulent, and deceptive practices, and to provide an appropriation therefor.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lybrand, Pelham and Clark:

S. 410. To require domestic insurance companies and Mutual Aid or Fraternal Societies to keep the original records pertaining to operations within the confines of this State; to provide for revocation or suspension of license for failure to do so.

By Messrs. Lybrand, Pelham and Clark:

S. 411. To provide a Uniform Standards Code for the protection of life and property.

By Messrs. Lybrand, Pelham and Clark:

S. 412. To increase the penalty for a violation of a Fire Marshal's regulation or order.

By Messrs. Lybrand, Pelham and Clark:

S. 413. To create the Alabama Insurance Guaranty Association to provide for the payment of claims of claimants and policyholders of insolvent insurance companies.

By Messrs. Lybrand, Clark, Pelham and Fine:

S. 457. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stubbs (with notice and proof):

H. 310. To alter the boundary between Jefferson County and Shelby county.

By Messrs. Headley and Stubbs:

H. 200. To allow certain County Engineers, who have heretofore participated in the Employees Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

By Mr. Noonan:

S. 494. To authorize the county governing bodies of the several counties in the State to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Mr. Noonan, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Noonan, Pelham and Edington (with amendment):

S. 489. To create the Alabama State Docks Authority; providing for its powers, its Board of Directors and its personnel; transferring to the Authority all the rights, authorities, funds, property, books, records and effects of the Alabama State Docks Department, abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act No. 103 of the General Acts of Alabama, 1955, and Act No. 302 of the Special Sessions of 1961, General Acts of Alabama, 1961, pages 2362-2363, laws or parts of laws conflicting with its provisions; amending Section 9 and Section 13 of Title 38 of the Code of Alabama, 1940, as amended, and providing for an effective date of this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al (with notice and proof):

H. 526. Relating to Calhoun County; providing for meetings of and clerical assistance to the board of registrars of Calhoun County.

By Mr. Merrill et al:

H. 527. Relating to the jury commission in all counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census, providing for the number of meeting days of the commission and the compensation of its members.

By Mr. Coshatt:

H. 579. To repeal Act No. 837, H. 1106, approved September 12, 1969, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day." (Acts of Alabama, Regular Session, 1969, p. 1542).

By Messrs. Jackson and Wise (with notice and proof):

H. 677. Relating to Covington County, Alabama, to provide that any regular Circuit Judge of the Circuit Court of Covington County, Alabama or any other Circuit Judge with like authority serving said county may appoint two additional bailiffs to serve the Circuit Court of Covington County, during any session thereof; to prescribe the pay for the service of said bailiffs and to provide for the effective date hereof.

By Messrs. Jackson and Wise (with notice and proof):

H. 678. Relating to Covington County, Alabama and the method of giving notice of the requirement of attendance of Jury service in Covington County, Alabama.

By Messrs. Jackson and Wise (with notice and proof):

H. 679. Relating to Covington County, Alabama; to regulate further the excusing of persons from jury service in the Circuit Court of Covington County, Alabama; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Messrs. Jackson and Wise (with notice and proof):

H. 681. Relating to Covington County, Alabama, relieving the Clerk of the Circuit Court, Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama from subscribing to and filing weekly newspaper published in said county.

By Messrs. Jackson and Wise (with notice and proof):

H. 682. Relating to Covington County, Alabama; to allow prospective jurors to be excused without the presence of the defendant in the Circuit Court of Covington County, Alabama.

By Messrs. Carnes, Waldrop, and Wynot (with notice and proof):

H. 893. To provide that certain employees of Etowah County or the Etowah County Board of Education shall not be dismissed from employment or reduced to status as part-time employees except for certain causes; relating to the rights of employees dismissed or reduced to part-time status; establishing the Etowah County Personnel Board, granting the Board certain authority, providing for the compensation and duties of its members, and directing and authorizing the governing body of Etowah County to provide the members of the Board with reasonable and necessary legal counsel.

BILL REPORTED AND RE-REFERRED

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation, to-wit:

H. 680. Relating to Covington County, Alabama; to abolish the fine and forfeiture fund of Covington County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 680, re-referred to the Standing Committee on Finance and Taxation.

ADOPTION OF RESOLUTION

The Resolution:

H. J. R. 76. MOURNING THE DEATH OF MR. W. H. LEIGH.

was again read and, on motion of Mr. Hawkins, was adopted by the Senate.

RESOLUTIONS

Mr. Dozier offered the following Senate Resolution, to-wit:

S. R. 48. WHEREAS, the members of the Capitol Press Corps have been restricted to their desk at the rear of the Chamber, and

WHEREAS, members of the said press corps must and of needs be required access to various members of this Senate and

WHEREAS, in being restricted to their press desk such communication with Senators is impossible.

NOW THEREFORE BE IT RESOLVED that the Secretary of the Senate assign two pages to the press table in order that Senators may be invited to the press table for questions.

Which was read and referred to the Standing Committee on Rules.

Mr. Lybrand offered the following Senate Resolution, to-wit:

S. R. 49. Be it resolved that commencing this week the Senate of Alabama shall meet for 3 working days during each week for the remainder of the Session.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 134. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

was taken up.

Mr. McLain offered the following substitute for the Bill, S. B. 134, to-wit:

SUBSTITUTE FOR S. B. 134

A BILL
TO BE ENTITLED
AN ACT

To provide additional alternative procedures whereby incorporated municipalities with populations of two thousand (2000) or more may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever all of the owners of property located and contained within an area contiguous to the corporate limits of any incorporated municipality with a population of two thousand (2000) or more, located in the State of Alabama, and such property does not lie within the corporate limits or police jurisdiction of any other municipality, shall sign and file a written petition with the city clerk of such municipality requesting that such property or territory be annexed to the said municipality, and the governing body of such municipality adopts an ordinance assenting to the annexation of said property to such municipality, the corporate limits of said municipality shall be extended and rearranged so as to embrace and include such property and such property or territory shall become a part of the corporate area of such municipality upon the date of publication of said ordinance. The petition required by this act shall contain an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of the municipality to which said property is proposed to be annexed and the signatures of all the owners of the property or territory described. Owners, as used in this act, shall mean the person in whose name the property is assessed for ad valorem tax purposes in the absence of proof to the contrary. It shall be the duty of the governing body to file a description of the property or territory annexed in the office of the Judge of Probate of the county in which the municipality is located.

Section 2. Whenever a majority of owners of property located and contained within any territory contiguous to the corporate limits of any incorporated municipality with a population of two thousand (2000) or more, located in the State of Alabama, and said owners own in excess of fifty percent or more of the property proposed to be annexed, and said property does not lie within the corporate limits or police jurisdiction of any other municipality, shall sign and file a written petition with the city clerk of such municipality requesting that property or territory be annexed to such municipality, with such property or territory proposed to be annexed being accurately described in and said petition together with a map of the said territory showing its relationship to the corporate limits of the municipality to which said property is proposed to be annexed, the governing body of such municipality may provide by ordinance for the annexation of such property or territory to such

municipality in the following manner. Upon the filing of said petition, the governing body of the municipality shall cause said petition to be published once a week for two consecutive weeks in a newspaper of general circulation in the county in which said municipality is located or, if there is no newspaper, then by posting a copy of said petition in four conspicuous places within the municipality, together with a notice specifying the date, hour and place of the meeting, that the governing body of such municipality will meet on a day certain, but not less than ten days after the last date of publication of said notice is published, or not less than twenty days after the first posting of said petition and notice, to consider the adoption of an ordinance annexing such property or territory described in such petition to the municipality. On the date set in such public notice, the governing body of the municipality shall hold a public meeting to determine the truth of the matters set forth in the petition and to hear any person who desires to be heard, either in favor of or in opposition to the annexation of such property or territory to the municipality, and at said hearing any landowner who had signed the petition for annexation may have his name removed from the petition upon his request for such removal made to the governing body of the municipality. However, at the conclusion of said hearing, if the names of a majority of the total number of owners of the property located and contained within the territory considered for annexation shall remain on the petition, the governing body of the municipality may proceed to adopt an ordinance assenting to the annexation of said property or territory to the municipality and the corporate limits of such municipality shall be extended and rearranged so as to embrace and include such property, and such property or territory shall become a part of the corporate area of such municipality upon the effective date of said ordinance. If the names of a majority of the total number of landowners of the property or territory considered for annexation do not remain on the petition at the conclusion of said hearing, said property or territory shall not be annexed by ordinance under the provisions of this act. It shall be the duty of the governing body to file a description of the property or territory annexed in the office of the Judge of Probate in the county in which the municipality is located.

Section 3. Any incorporated municipality with a population of two thousand (2000) or more, having extended its corporate limits under the provisions of this act or any other law, may again extend its corporate limits hereunder or under any other law authorizing an extension of the corporate limits by such incorporated municipality.

Section 4. The provisions of this act shall in no wise preclude any municipality from extending its corporate limits by annexation in any other way or manner that may be authorized by law.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. McLain, further consideration of the Bill, S. B. 134, and pending substitute, was postponed until the next Legislative Day.

The Bill:

S. 208. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

was taken up.

Mr. Dominick offered the following substitute for the Bill, S. B. 208, to-wit:

SUBSTITUTE FOR S. B. 208

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of certain judges, creating a Judicial Commission and defining its powers, duties and authority.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed: it shall become valid as a part of the Constitution when approved and proclaimed as prescribed by law.

"Amendment _____"

"1. As used in this amendment: 'Judge' means a justice of the Supreme Court, a judge of the court of appeals, or a judge of any circuit court, probate court, municipal court, or other court of record. 'Commission' means Judicial Commission. 'Retire' means to place on supervisory status if available. 'Chairman' includes the acting chairman. 'Masters' means special master appointed by the Supreme Court upon request of the Commission. 'Presiding master' means a master so designated by the Supreme Court or in the absence of such designation, the judge first named in the order appointing masters. 'Shall' is mandatory and 'may' is permissive.

"2. A Judicial Commission is hereby created which shall be authorized to investigate, conduct hearings on the qualifications of judges and make recommendations to the Supreme Court in regard to the retirement, censure, suspension or removal of such judges. The Commission shall consist of: One judge of the court of appeals to be appointed by the Supreme Court; two judges of circuit courts to be appointed by the Circuit Judges Association; one probate judge to be appointed by the Probate Judges Association; one judge of a municipal court to be appointed by the Supreme Court; two practicing attorneys who shall be members in good standing of the state bar who shall have practiced law in this state for at least ten years and who shall be appointed by the board of commissioners of the state bar, and two citizens neither of whom shall be a judge, active or retired, nor a member of the state bar, and who shall be appointed by the Governor subject to the approval of the Alabama Senate. The terms of these members shall be for six years. Of the initial appointees, three (a circuit judge, the judge of the court of appeals and a citizen) shall be appointed for six years; three members (the municipal court judge, the probate judge and a practicing attorney) shall be appointed for four years; and three members (a circuit judge, a practicing attorney and a citizen) shall be appointed for three years. Commission membership shall terminate if a member ceases to hold the position that qualified him for appointment. A vacancy shall be filled by the appointing power for the remainder of the term; provided, that if the appointing power shall not fill the vacancy within sixty days, replacement shall be made by majority vote of the Commission.

No member shall receive any compensation for his services as such but shall be allowed his necessary expenses for travel, board and lodging incurred in the performance of his duties as such, which shall be paid from the state treasury on claims filed with the state comptroller.

No act of the Commission shall be valid unless concurred in by a majority of its members. The Commission shall select one of its members to serve as chairman.

"3. A judge, in accordance with the procedure prescribed in this section, may be censured, suspended, or removed for action occurring not more than six years prior to the commencement to his current term that constitutes willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or he may be retired for disability that seriously interferes with the performance of his duties and is or is likely to become permanent. The Judicial Commission may, after such investigation as the Commission deems necessary, order a hearing to be held before it concerning the censure, suspension, removal or retirement of a judge, or the Commission may in its discretion request the Supreme Court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter, and to report thereon to the Commission. If, after hearing, or after considering the record and report of the masters, the Commission finds good cause therefor, it shall recommend to the Supreme Court the censure, suspension, removal or retirement, as the case may be, of the judge.

The Supreme Court shall review the record of the proceedings on the law and facts and in its discretion may permit the introduction of additional evidence and shall order censure, suspension, removal or retirement, as it finds just and proper, or wholly reject the recommendation. Upon an order for retirement, the judge shall be considered to have retired voluntarily and shall thereby be retired with the same rights and privileges as if he retired pursuant to statute. Upon an order for removal, the justice or judge shall thereby be removed from office, and his salary shall cease from the date of such order. A judge removed by the Supreme Court shall be ineligible for judicial office and pending further order of the Supreme Court he shall be suspended from practicing law in this state.

All papers filed with and proceedings before the Judicial Commission or masters appointed by the Supreme Court, pursuant to this section, shall be confidential, and the filing of papers with and the giving of testimony before the Commission or the masters shall be privileged; but no other publication of such papers or proceedings shall be privileged in any action for defamation except that (a) the record filed by the Commission in the Supreme Court continues privileged and upon such filing loses its confidential character and (b) a writing which was privileged prior to its filing with the Commission or the masters does not lose such privilege by such filing. The Judicial Conference shall by rule provide for procedure under this section before the Judicial Commission, the masters, and the Supreme Court. A judge who is a member of the Commission or Supreme Court shall not participate in any proceedings involving his own censure, suspension, removal or retirement.

A judge shall be disqualified from acting as a judge, without loss of salary, while there is pending (1) an indictment on an information charging him in the United States with a crime punishable as a felony under Alabama or federal law or (2) a recommendation to the Supreme Court by the Judicial Commission for his censure, suspension, removal or retirement.

On recommendation of the Commission or on its own motion, the Supreme Court may suspend a judge from office without salary when in the United States he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Alabama or federal law or of any other crime that involves moral turpitude under that law. If his con-

viction is reversed, suspension terminates, and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final, the Supreme Court shall remove him from office.

"4. This amendment is self-executing. The Commission is authorized and directed to make rules not inconsistent with the provisions of this amendment implementing this amendment and providing for the confidentiality of proceedings.

"5. The provisions of Article VII, Sections 173 and 174 are hereby repealed in so far as they relate to a judge as defined herein.

"6. The legislature is authorized to provide a retirement program for judges of the circuit courts and various appellate courts now or hereafter created in this state."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama, 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	McLain
Bailes	Edington	Jones	Malone
Branyon	Fine	King	Noonan
Carr	Foshee	Lindsey	Owen
Cook	Gilmore	Littleton	Pierce
Cooper	Givhan	Lybrand	Wilder
Dominick			—24

Nays: —0

And said Bill, S. B. 208, as thus amended by the substitute, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	McLain
Bailes	Edington	Horne	Malone
Branyon	Fine	Jones	Noonan
Carr	Foshee	King	Owen
Cook	Gilmore	Lindsey	Pierce
Cooper	Givhan	Littleton	Wilder
Dominick	Harris		—25

Nays: —0

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following communica-

tion from the Department of Archives and History and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Robert E. Steiner, III, Honorable James B. Striplin, and Honorable Robert B. Harwood to the Board of Trustees of the Archives and History Department.

On motion of Mr. Clark, said appointments were confirmed by the Senate.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington			

—32

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 264. To amend Section 2, (d) Act No. 180, H. 519 Regular Session 1965, an Act changing the method of compensating certain officers of Marshall County.

Also:

S. 291. Relating to Greene County; to regulate the insurance of certain public buildings within the county, together with the equipment, furniture, fixtures and other property within such buildings; and to repeal conflicting laws.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 49. Relative to an agreement that the Senate shall meet for three Legislative Days each week for the remainder of the Session.

Mr. Fine offered the following amendment to the resolution, S. R. 49, to-wit:

AMENDMENT TO S. R. 49

Amend S. R. 49 by striking out the words "commencing this week", and inserting the words "commencing next week."

Mr. Lybrand moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 21.

Yeas:

Messrs.:	Givhan	McLain	Vacca	
Branyon	Harris	Noonan	Weaver	
Clark	Horne	Pelham	Wilson	
Cooper	Lybrand	Register		—14

Nays:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Carr	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Shelby	
Dominick	Hammond	Malone	Wilder	
Dozier	Hawkins			—21

The question was then on the Fine amendment to the Resolution, S. R. 49, which was adopted.

Yeas 21; Nays 14.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Carr	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Shelby	
Dominick	Hammond	Malone	Wilder	
Dozier	Hawkins			—21

Nays:

Messrs.:	Givhan	McLain	Vacca	
Branyon	Harris	Noonan	Weaver	
Clark	Horne	Pelham	Wilson	
Cooper	Lybrand	Register		—14

And said Resolution, S. R. 49, as thus amended, was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 159. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

was taken up.

Mr. O'Bannon offered the following substitute for the Bill, S. B. 159, to-wit:

SUBSTITUTE FOR S. B. 159

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution relating to the Legislative Department.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law.

Proposed amendment.

Section 1. Time and Length of Legislative Sessions.

Regular sessions of the legislature shall be held annually and shall be limited to thirty legislative days within a period of not more than ninety calendar days. The legislature shall convene in regular sessions on the first Tuesday in May, unless the day of meeting is changed by law. Special sessions of the legislature convened in the manner provided by this Constitution shall be limited to twenty legislative days within a period of not more than forty-five calendar days.

Section 2. Compensation Commission for the Members, Officers and Employees of the Legislature.

(a) Members of the legislature shall receive an annual salary to be determined in accordance with the provisions of this section.

(b) A State compensation commission is hereby created which shall determine the salary, expense allowances, and other compensation of the members of the legislature, and the officers and employees of the senate and house of representatives. The Commission shall consist of nine members; two of whom shall be appointed by the governor, two by the president of the senate, two by the speaker of the house, two by the chief justice of the supreme court and one by the attorney general.

(c) The terms of the commissioners shall be six years. Of the initial appointees, three (two by the governor and one by the attorney general) shall be appointed for two years; three (two by the president of the senate and one by the speaker of the house) shall be appointed for four years and three (two by the chief justice and one by the speaker) shall be appointed for six years. Membership on the Commission shall be considered an office of profit.

(d) The members of the Commission shall elect one of their number as chairman at their first meeting and every two years thereafter. Any vacancy on the Commission shall be filled within fifteen days in the same manner in which such position was originally filled. The Commission may employ and fix the compensation of such consultants, assistants and employees as it deems necessary. The legislature shall fix the compensation of the Commission and appropriate sufficient funds for the compensation and expenses of the Commission and staff appointed by it.

(e) The Commission shall meet at least once a year and submit its report to the legislature on the first day of each regular session. The recommendations of the Commission shall become effective unless rejected or altered by act of the legislature within fifteen legislative days after submission. No change in salary, expense allowance, or other compensation shall apply to any legislator during the term for which he was elected.

Section 2. An election upon the proposed amendment is ordered to be held at the time of the next general election.

Section 3. Notice of the proposed amendment shall be given by proclamation of the governor, which shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and postoffice.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—33

Nays:

—0

Mr. Dominick offered the following amendment to the Bill, S. B. 159, as amended, to-wit:

AMENDMENT TO S. B. 159

Strike the third sentence in Section 1 as substituted, starting with the words "Special sessions" and substitute the following sentence:

"Special sessions of the legislature may be called by the Governor or, at the written request of a majority of the members of each house, by the presiding officers of both houses, but shall be limited to twenty legislative days within a period of not more than fifty-five calendar days."

Which was adopted.

Yeas 27; Nays 4.

Yeas:

Messrs.:	Dozier	Horne	Malone
Bailes	Fine	Jones	Noonan
Branyon	Foshee	King	O'Bannon
Carr	Gilmore	Lindsey	Pierce
Clark	Givhan	Littleton	Shelby
Cooper	Harris	Lybrand	Vacca
Dominick	Hawkins	McLain	Wilder

—27

Nays:

Messrs.:			
Hammond	Owen	Pelham	Wilson

—4

And said bill, S. B. 159, as thus amended, was read a third time at length as required by the Constitution and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Hammond	Lybrand	Shelby
Clark	Harris	McLain	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—29

Nays:

—0

Mr. Dominick requested and received unanimous consent to add the name of Mr. O'Bannon as co-sponsor of the above Bill, S. B. 159.

The Bill:

S. 234. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 234, to-wit:

AMENDMENT TO S. B. 234

Amend Section 3 by deleting therefrom the following "six (6) months", and substituting therefor the following "twelve (12) months".

On motion of Mr. Dominick, said amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Dominick	Gilmore	Register
Bailes	Dozier	Hawkins	Vacca
Carr	Edington	Jones	Wilder
Clark	Fine	O'Bannon	Wilson
Cook	Foshee	Pelham	

—18

Nays:

Messrs.:	Harris	McLain	Pierce
Branyon	Horne	Malone	Shelby
Cooper	Lindsey	Noonan	Weaver
Givhan	Lybrand	Owen	

—14

And said Bill, S. B. 234, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Edington	King	Register
Bailes	Fine	McLain	Shelby
Carr	Foshee	Malone	Vacca
Cook	Gilmore	O'Bannon	Wilder
Dominick	Hawkins	Pelham	Wilson
Dozier	Jones	Pierce	

—22

Nays:

Messrs.:	Cooper	Horne	Noonan
Branyon	Givhan	Lindsey	Owen
Clark	Harris	Lybrand	

—10

The Bill:

S. 169. To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

was taken up.

Mr. Cooper offered the following substitute for the Bill, S. B. 169, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the applicable provisions of Title 36, Section 63, 1940 Code of Alabama, as amended, the Director of the Department of Public Safety shall require as a condition for re-issuing a driver or chauffeurs license that every person seeking such re-issue shall be re-examined at least once every four years for visual acuity. These tests may be made by a designee of the Director of the Department of Public Safety or by any person duly licensed in the State of Alabama to give visual acuity tests and prescribe corrective lenses. The tests herein required shall be begun on January 1, 1972, and for the year 1972 the director shall have re-examined all those persons seeking a re-issued license who were born in an even-numbered year during the first fifteen days of each month; in the year 1973, the re-examination shall be given those born in an odd-numbered year during the first fifteen days of each month; in the year 1974, the re-examination shall be given those born in an even-numbered year during the period after the fifteenth day of each month; and in 1975 the re-examination shall be given those persons born in an odd-numbered year during the period after the fifteenth day of each month; in subsequent years the same formula shall be used so that each licensed driver in this state shall be given a re-examination at least once every four years.

Section 2. All laws or parts of laws in conflict herewith are repealed.

Section 3. This act is severable and if any part thereof shall be declared invalid by a court of competent jurisdiction the declaration shall not affect that part which remains.

Which was adopted.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Cooper	Harris	Noonan
Bailes	Dozier	Hawkins	O'Bannon
Branyon	Edgington	Horne	Owen
Carr	Fine	King	Pelham
Clark	Foshee	Lindsey	Register
Cook	Givhan	Malone	Vacca

Nays:

Messrs.:	Jones	McLain	Wilder
Dominick	Lybrand	Pierce	

—6

And said Bill, S. B. 169, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Givhan	Lybrand	Pelham
Clark	Harris	McLain	Register
Cooper	Horne	Noonan	Vacca
Dominick	King	O'Bannon	Weaver

—19

Nays:

Messrs.:	Dozier	Jones	Shelby
Branyon	Fine	Malone	Wilder
Carr	Fosnee	Pierce	Wilson
Cook	Hawkins		

—13

The Bill:

S. 408. To amend Act No. 679, H. 1377, Regular Session 1961 (Acts 1961, p. 953), which act regulates and licenses barbers and barber colleges in Morgan County, by prohibiting the employment of non-licensed barbers in barbers shops; by exempting certain barbers from paying the license fees; and by providing a penalty for failure to renew a barber's license within a certain period; and by fixing standards of qualification for instructors in barber colleges.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Branyon	Fine	Lindsey	Pierce
Carr	Gilmore	Lybrand	Vacca
Cook	Givhan	McLain	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 430. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance of security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the

rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	McLain	Vacca
Clark	Givhan	Malone	Weaver
Cook	Harris	Noonan	Wilder
Cooper	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

was taken up.

Mr. Pierce offered the following amendment to the Bill, S. B. 431, to-wit:

AMENDMENT TO S. B. 431

Amend Section 23 of S. B. 431 by adding at the end of 3rd paragraph on page 10 of the bill the following sentence:

"The presiding judge or assistant judge or judges, in addition to having all the powers and jurisdiction conferred by law upon recorders of cities in the state of Alabama shall have final jurisdiction of all misdemeanors for violation of the laws of the state of Alabama and jurisdiction to hold preliminary hearings in felony cases for offenses in violation of the laws of the state of Alabama."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Branyon	Gilmore	Lybrand	Shelby
Clark	Hammond	Malone	Vacca
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

And said Bill, S. B. 431, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Shelby	
Cook	Hammond	Malone	Vacca	
Dominick	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

S. 432. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 180,000 people and in which there is an incorporated city having a population of 70,000 people and less than 135,000 people according to the last Federal Census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Hammond	Malone	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

S. 433. To authorize all cities in the State of Alabama having a population exceeding 70,000 and not exceeding 135,000 inhabitants, according to the 1970 or any succeeding regular decennial federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed

expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	Littleton	Shelby
Carr	Gilmore	Lybrand	Vacca
Clark	Hammond	Noonan	Weaver
Cook	Harris	O'Bannon	Wilder
Cooper	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 434. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city, and prescribing the powers and duties of such a commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon	
Bailes	Foshee	Littleton	Owen	
Branyon	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 435. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 70,000 and not more than 135,000 people, according to the 1970 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 436. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this state having a population exceeding 150,000 and not exceeding 180,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 437. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all counties of Alabama, having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 federal census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex-officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (\$5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex-officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (\$3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan
Bailes	Fine	Lindsey	O'Bannon
Branyon	Foshee	Littleton	Owen
Carr	Givhan	Lybrand	Pierce
Cooper	Hammond	McLain	Shelby
Dominick	Harris	Malone	Wilson
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

S. 438. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	Littleton	Shelby
Clark	Foshee	Lybrand	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 439. Relating to counties having populations of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; to provide that no fire station shall be used as a polling place in any election.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Branyon	Gilmore	McLain	Shelby
Clark	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 441. Relating to Barbour County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Harris	Noonan	Shelby
Clark	Horne	O'Bannon	Vacca
Cooper	Jones	Owen	Weaver
Edington	King	Pelham	Wilson
Fine	Lindsey		

—25

Nays:

—0

The Bill:

S. 445. To repeal Act No. 106, S. 52, approved September 30, 1965, Special Session 1965 (Acts 1965, p. 144), entitled, "An Act To apply only in counties of the State having populations of not less than 18,000 nor more than 19,400 inhabitants according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Hammond	McLain	Pierce
Branyon	Harris	Malone	Register
Clark	Hawkins	Noonan	Shelby
Cooper	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 447. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that the county commission shall furnish separate office space to the circuit clerk and the register in equity in the court-house.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Foshee	Lindsey	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 214. To provide a secretary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Fine	McLain	Pierce	
Clark	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 238. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 408. To apply in all counties having a population of 300,000 or more, according to the last or any future federal census: to further regulate the probate court in such counties, and to relieve and exempt the probate judge in such counties from personal liability for errors,

mistakes and omissions of employees serving under any Merit System Act or Civil Service System.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Foshee	King	Register	
Carr	Gilmore	Lindsey	Shelby	
Clark	Givhan	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 413. To amend further Act No. 394, H. 828, Regular Session 1961, an Act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Clark	Gilmore	McLain	Vacca	
Cooper	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 414. To provide for the appointment of the county superintendent of education of Lee County by the county board of education; prescribing his qualifications and providing for his powers, duties and removal; repealing Act No. 266, H. 611, Regular Session 1931, and all other conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Malone	Register	
Bailes	Hammond	Noonan	Shelby	
Carr	Harris	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Dominick	King	Pelham	Wilder	
Edington	Lindsey	Pierce	Wilson	
Fine	Littleton			—25

Nays: —0

The Bill:

H. 415. To repeal Act No. 297, H. 513 of the Regular Session of 1965 (Acts 1965, p. 414) entitled "An Act To apply in counties having populations of not less than 49,500 nor more than 50,500; providing for payment of expense allowances for the deputy or county solicitors of such counties from the county treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Gilmore	Noonan	Shelby	
Carr	Givhan	O'Bannon	Vacca	
Cooper	Hammond	Owen	Wilder	
Dozier	Harris	Pelham	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 416. To fix the compensation of the sheriffs of all counties having populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to repeal conflicting laws; and to give this Act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Cook	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 417. To amend Act No. 1170, S. 674, 1969 Regular Session (Acts 1969, p. 2179), which regulates further the office of sheriff in the state and prescribes the annual salaries of sheriffs of the several counties classified on a population basis, so as to delete the special provisions therein excepting the salary of sheriffs in those counties having populations of not less than 61,000 nor more than 62,000 from the general provision relative to counties having such populations, and making special provision for the salaries of sheriffs of such counties; and to provide that this amendment shall be retroactive and become effective on January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Givhan	Malone	Register	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 439. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Foshee	King	Register	
Branyon	Givhan	Lindsey	Vacca	
Clark	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 452. To amend Sections 10 and 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court, in relation to the compensation of the judge of the court, and court costs.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Cook	Hammond	Lybrand	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 468. Relating to Cherokee County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Bailes	Foshee	Malone	Register	
Branyon	Gilmore	Noonan	Shelby	
Cook	Hammond	O'Bannon	Vacca	
Cooper	Hawkins	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King	.		—25

Nays: —0

The Bill:

H. 503. To provide that the laws governing the county-wide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Foshee	Lindsey	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	Pelham	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 504. Relating to Mobile County; to provide that the presiding judge of the circuit court for Mobile County may authorize sessions of the circuit court and the Mobile County Juvenile Court to be held at any place within the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Foshee	Lindsey	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	Pelham	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 485. To repeal Act No. 631, S. 556, Regular Session, 1969, (Acts 1969, p. 1157), which relates to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Harris	Lybrand	Vacca	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 486. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent Federal decennial census; to provide an expense allowance for the Deputy Sheriffs in all such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Fine	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 449. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Edington	Harris
Bailes	Dominick	Gilmore	Hawkins
Carr	Dozier	Givhan	Horne

Jones	Lybrand	Owen	Vacca	
King	Malone	Pierce	Weaver	
Lindsey	Noonan	Shelby	Wilder	
Littleton	O'Bannon			—25
<i>Nays:</i>				—0

The Bill:

S. 472. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25
<i>Nays:</i>				—0

The Bill:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25
<i>Nays:</i>				—0

The Bill:

H. 13. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Anniston; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Branyon	Hammond	Malone	Register	
Clark	Harris	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Weaver	
Edington	King	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 15. To authorize, provide for and regulate the establishment and operation of a retirement system for certain employees of the City of Anniston and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Anniston Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Givhan	Lybrand	Register	
Branyon	Hammond	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 97. To amend the Title and Section 1 of Act No. 160, H. 182, Special Session 1969, (Acts 1969, p. 226), which act provides further for additional clerk hire allowance for the tax assessors and tax collectors of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Hammond	Lybrand	Register	
Cook	Hawkins	McLain	Shelby	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 98. Relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Pelham	
Branyon	Hammond	Lybrand	Pierce	
Clark	Harris	McLain	Register	
Dominick	Hawkins	Malone	Vacca	
Dozier	Jones	Noonan	Weaver	
Edington	King	O'Bannon	Wilson	
Gilmore	Lindsey			—25

Nays: —0

The Bill:

H. 118. To authorize the judge of probate of Madison County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Cook	Givhan	McLain	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 178. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cooper	Harris	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 204. To amend the title and Section 1 of Act No. 33, S. 63, Regular Session 1967 (Acts 1967, p. 364), which provides an expense allowance for county solicitors of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cooper	Harris	Lybrand	Vacca	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne			—25

Nays: —0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Carr, further consideration of the Bill, H. B. 179, was postponed until the Twenty-first Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

H. 205. To amend the title and Section 1 of Act No. 188, S. 292, Regular Session 1967 (Acts 1967, p. 555), which Act prohibits the catching of fish by use of a gill or trammel net in public waters of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cook	Givhan	Lybrand	Register	
Cooper	Hammond	Malone	Shelby	
Dominick	Harris	Noonan	Vacca	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 206. To amend the title and Section 1 of Act No. 926, H. 893, Regular Session 1961 (Acts 1961, p. 1485), which act provides further for the compensation and allowances of members of the jury commission and clerk of the jury commission of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Pelham	
Bailes	Dozier	Jones	Pierce	
Branyon	Edington	King	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilder	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 210. To permit banks now or hereafter situated within the corporate limits of the City of Troy, Alabama, a municipal corporation, to establish, maintain or operate new branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business within the corporate limits of Troy, Alabama, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Register	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Harris	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 219. To provide clerical assistance for the District Attorneys of circuits composed of one county having a population of not less than 50,000 nor more than 52,500.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	King	Pelham	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

H. 304. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

was taken up.

Mr. Carr offered the following amendment to the Bill, H. B. 304, to-wit:

AMENDMENT TO H. B. 304

Strike Section 5 of the bill and substitute in lieu thereof the following:

Section 5. The provisions of this Act shall be retroactive to June 1, 1971, and the Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Carr	Gilmore	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 304, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 314. To allow prospective jurors to be excused without the presence of the defendant in capital cases in the Eighteenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 393. To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Clark	Hammond	McLain	Register	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	O'Bannon	Weaver	
Fine	Jones	Owen	Wilder	
Foshee	King			—25

Nays: —0

The Bill:

H. 409. Proposing an amendment to the Constitution of Alabama relating to Bibb County, and ordering an election thereon.

Was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Weaver	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 443. To levy in Washington County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Washington County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide for the disposition of the proceeds of said tax; and to prescribe additional penalties for certain violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Lybrand	Pierce
Carr	Foshee	McLain	Register
Cook	Gilmore	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 464. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	Littleton	Vacca
Carr	Givhan	Lybrand	Weaver
Clark	Harris	Noonan	Wilder
Cook	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 516. Relating to Talladega County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Clark	Gilmore	Littleton	Pierce
Cook	Givhan	Lybrand	Register
Cooper	Hammond	McLain	Shelby
Dominick	Harris	Malone	Weaver
Edington	Jones	Noonan	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

H. 552. To apply only in counties having populations of not less than 16,700 nor more than 18,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register
Bailes	Gilmore	McLain	Shelby
Branyon	Harris	O'Bannon	Vacca
Cook	Hawkins	Owen	Weaver
Dozier	Horne	Pelham	Wilder
Edington	Jones	Pierce	Wilson
Fine	Lindsey		

—25

Nays:

—0

The Bill:

H. 560. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham
Bailes	Dozier	King	Shelby
Branyon	Edington	McLain	Vacca
Carr	Fine	Malone	Weaver
Clark	Foshee	Noonan	Wilder
Cook	Givhan	Owen	Wilson
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 561. Relating to counties having populations of not less than 14,500 nor more than 15,500, fixing the fee for issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Register	
Bailes	Edington	Malone	Shelby	
Branyon	Fine	Noonan	Vacca	
Carr	Foshee	Owen	Weaver	
Clark	Givhan	Pelham	Wilder	
Cooper	Harris	Pierce	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 562. To apply only to counties having a population of not less than 16,700 nor more than 18,000 according to the most recent federal census; allowing the sale of alcoholic beverages in certain locations previously prohibited.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Malone	Register	
Branyon	Givhan	Noonan	Shelby	
Carr	Hammond	O'Bannon	Vacca	
Cooper	Harris	Owen	Weaver	
Dominick	Hawkins	Pelham	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 563. Relating to Marengo County; to prescribe the qualifications of the county superintendent of education in Marengo County; and to regulate his compensation and expense allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Carr	Foshee	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 578. To repeal Act No. 46, H. 74, approved March 4, 1970, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in

said counties; and providing that this Act shall become effective only if approval at a referendum held in the county affected." (Acts of Alabama, Special Session, 1970, p. 2670).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Hammond	McLain	Register	
Carr	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 580. To repeal Act No. 526, S. 553, approved August 22, 1961, entitled, "An Act relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions." (Acts of Alabama, 1961, p. 625).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Bailes	Foshee	Lindsey	Shelby	
Carr	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	Hawkins	Pelham	Wilder	
Dozier	Horne	Pierce	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 581. To repeal Act No. 101, H. 296, approved June 27, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, page 485).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dominick	Jones	Owen	Weaver	
Dozier	Lindsey	Pelham	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 582. To repeal Act No. 147, S. 110, approved July 19, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, p. 521).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Cook	Givhan	McLain	Vacca
Cooper	Hammond	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 583. To repeal Act No. 142, H. 155, which became effective August 28, 1964, entitled, "An Act relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places." (Acts of Alabama, 1964, p. 205).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Givhan	Malone	Register
Carr	Hammond	Noonan	Shelby
Cook	Harris	O'Bannon	Weaver
Cooper	Hawkins	Owen	Wilder
Dozier	Horne	Pelham	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 728. Relating to Marshall County; authorizing any city board of education in said county to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Fine	Givhan
Bailes	Cooper	Foshee	Hammond
Carr	Edington	Gilmore	Harris

Hawkins	Lybrand	Pelham	Weaver	
King	Noonan	Pierce	Wilder	
Lindsey	O'Bannon	Vacca	Wilson	
Littleton	Owen			—25
<i>Nays:</i>				—0

The Bill:

H. 729. Relating to Marshall County; providing that no fee shall be charged or collected by any public official for the assessment or collection of ad valorem taxes levied in said county for public school purposes, nor shall any percentage of the proceeds of such tax be retained by any public official or by the county to cover the cost of assessment or collection; providing for the proceeds of all school taxes to be paid to the treasurers of the county and city school systems in Marshall County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

<i>Messrs :</i>	Edington	Littleton	Owen	
Bailes	Givhan	Lybrand	Pelham	
Carr	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 768. To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

<i>Messrs.:</i>	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Harris	Owen	Weaver	
Cooper	King	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 767. To provide further for the payment of an expense allowance to the members of the Tax Equalization Board in counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census.

was taken up.

The Standing Committee on Local Legislation #1 reported the following amendment to the Bill, H. B. 767, to-wit:

AMENDMENT TO H. B. 767

Amend Section 1 by deleting therefrom the following from the first sentence therein:

"or such other funds as may be authorized by law from which to pay said expense allowance."

and placing a period at the end of that part of the first sentence that remains.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Register	
Bailes	Dozier	Horne	Shelby	
Branyon	Edington	King	Vacca	
Carr	Foshee	O'Bannon	Weaver	
Clark	Gilmore	Pelham	Wilder	
Cook	Givhan	Pierce	Wilson	
Cooper	Hammond			—25

Nays: —0

And said Bill, H. B. 767, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Bailes	Foshee	Lindsey	Shelby	
Carr	Gilmore	O'Bannon	Vacca	
Cooper	Givhan	Owen	Weaver	
Dominick	Hammond	Pelham	Wilder	
Dozier	Harris	Pierce	Wilson	
Edington	Horne			—25

Nays: —0

STATEMENT BY PRESIDING OFFICER

The President and Presiding Officer of the Senate announced that, in accordance with Senate Rule 39, he was appointing Senator Pierce to preside over the Senate temporarily, during his trip out of the state.

ADJOURNMENT

At 6:05 P. M., Mr. Dozier offered the following Motion in Writing, to-wit:

"Mr. President, I move that we now adjourn until Tuesday, July 20, at 12:00 P. M."

Mr. Lybrand offered a substitute Motion in Writing, to-wit:

"I move that the Senate now stand in adjournment until 12:00 Noon, Thursday, July 15, 1971."

Which was adopted.

Yeas 18; Nays 16.

Yeas:

Messrs.:	Hammond	McLain	Register	
Branyon	Harris	Malone	Vacca	
Clark	Horne	Noonan	Weaver	
Cooper	Littleton	Owen	Wilson	
Givhan	Lybrand	Pelham		—18

Nays:

Messrs.:	Dozier	Gilmore	O'Bannon	
Bailes	Edington	Hawkins	Pierce	
Carr	Fine	Jones	Shelby	
Cook	Foshee	King	Wilder	
Dominick				—16

And said Motion in Writing, as thus amended, was then adopted by the Senate, and at 6:08 P. M., the Senate adjourned until Thursday, July 15, 1971, at 12 o'clock Noon.

SEVENTEENTH LEGISLATIVE DAY

THURSDAY, JULY 15, 1971

The Senate met pursuant to adjournment, President Pro Tempore Pelham presiding.

PRAYER

The Session was opened with prayer by the Reverend Don H. Dean, Minister, Perry Hill United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington				—32

JOURNAL

On motion of Mr. Pierce, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and

containing all original entires and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pierce, leaves of absence were granted Messrs. Cook, O'Bannon and Register for today.

RECESS

At 12:03 P. M., on motion of Mr. Pierce, the Senate took a recess until 12:33 today.

The Recess period having expired, the Senate was called to order by President Pro Tempore Pelham. A quorum of the Senate was present.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 13. Relating to mandatory education for exceptional children, including but not limited to the mentally retarded, the speech impaired, the deaf and hearing impaired, the blind and vision impaired, the crippled and otherwise physically handicapped, the emotionally conflicted, the socially maladjusted, those with special learning disabilities, the multiply handicapped, and the intellectually gifted; providing that each county, municipal or other board of education in the State of Alabama and the school district associated therewith shall provide not less than twelve years of appropriate instruction and related special services for such exceptional children at public expense; providing for the implementation of said mandatory education for said exceptional children; providing for the respective roles of the State Board of Education and the local boards of education in said implementation; providing for the judicial enforceability of implementation plans through suits and actions authorized to be brought; providing for the adoption of regulations by the State Board of Education and the effect of said regulations; to provide for long-range implementation plans and the periodic review thereof by the State Board of Education; providing for teacher units for such exceptional children; providing for classification and placement of exceptional children in school programs and classes; providing for the confidentiality of records of such exceptional children and providing for access to said records by appropriate persons; providing that certain state departments, boards and institutions shall make available to superintendents of local boards of education, certain information concerning persons who might be exceptional children; providing for the furnishing of certain textbooks, equipment and materials to local boards of edu-

cation for the use of vision and hearing impaired children and those having other special learning disabilities; providing for allowances from the special educational trust fund (the minimum program fund) of certain amounts for bus transportation of such exceptional children who are unable to ride regular school buses; authorizing the State Board of Education to make certain training grants in exceptional child education to persons under certain conditions to qualify them to meet certain professional requirements; providing that this Act may be referred to as the "Alabama Exceptional Child Education Act"; providing that the provisions of this Act shall be severable; and providing for the effective date of this Act.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McBride, Crowe, Dill, Doss, Wallace, Turnham, Brassell, Snell, Waggoner, Ellis, Adwell, Weeks, Waldrop, King, Gloor and Hale:

H. 95. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 95. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and order same sent forthwith to the Senate without engrossment:

By Messrs. Culver and Smith (P):

H. 589. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation of, certain farm products after the hour of sunset and before the hour of sunrise.

Also:

By Messrs. Culver and Smith (P):

H. 590. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Also:

By Messrs. Headley and Adwell:

H. 203. To regulate the solicitation of advertisement by any person, firm or corporation who holds himself out to be affiliated with any State or Federal Peace Officers Association; to provide penalties for violation of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 589 and 590. To the Committee on Agriculture.

H. B. 203. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grainger:

H. 111. To authorize county or city boards of education to grant certain leaves to teachers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 111. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions

thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

Also:

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 63. Mourning the death of J. M. Woods, outstanding citizen of Calhoun County, Alabama.

Also:

H. J. R. 64. Commending Herman T. Pruett for his outstanding contributions to the people of the State of Alabama.

Also:

H. J. R. 65. Congratulating and commending the Lee High School baseball team of Huntsville on winning the State 3A-4A Championship.

Also:

H. J. R. 67. Commending Mr. Frank Basil Clark, National President of the Possum Growers and Breeders Association of America for focusing National attention on Chilton County and Alabama.

Also:

H. J. R. 69. MOURNING THE DEATH OF FRANK WAKEFIELD, BUDGET EXAMINER.

Also:

H. J. R. 70. To Name a Bridge in Colbert County "Lurleen-Buzzard Roost Creek Bridge."

Also:

H. J. R. 71. Commending Miss Ceil Jenkins For Being Named Miss Alabama and Extending an Invitation to Address the Legislature.

Also:

H. J. R. 72. Mourning the Death of Mr. John A. "Buck" Jenkins.

Also:

H. J. R. 74. Commending Representative Walker Hobbie upon being honored by the National Fraternal Order of Police.

Also:

H. J. R. 80. Naming the classroom administration building now under construction at the Alabama Agricultural and Mechanical University the "L. R. PATTON HALL".

Also:

H. J. R. 84. Declaring the week of July 11-17 Alabama Poultry Products Week.

Also:

H. J. R. 76. Mourning the death of Mr. W. H. Leigh of Birmingham.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 413. To amend further Act No. 394, H. 828, Regular Session 1961, an Act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Also:

H. 414. To provide for the appointment of the county superintendent of education of Lee County by the county board of education; prescribing his qualifications and providing for his powers, duties and removal; repealing Act No. 266, H. 611, Regular Session 1931, and all other conflicting laws.

Also:

H. 415. To repeal Act No. 297, H. 513 of the Regular Session of 1965 (Acts 1965, p. 414) entitled "An Act To apply in counties having populations of not less than 49,500 nor more than 50,500; providing for payment of expense allowances for the deputy or county solicitors of such counties from the county treasury."

Also:

H. 416. To fix the compensation of the sheriffs of all counties having populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to repeal conflicting laws; and to give this Act retroactive effect.

Also:

H. 417. To amend Act No. 1170, S. 674, 1969 Regular Session (Acts 1969, p. 2179), which regulates further the office of sheriff in the state and prescribes the annual salaries of sheriffs of the several counties classified on a population basis, so as to delete the special provisions therein excepting the salary of sheriffs in those counties having populations of not less than 61,000 nor more than 62,000 from the general provision relative to counties having such populations, and making special provision for the salaries of sheriffs of such counties; and to provide that this amendment shall be retroactive and become effective on January 18, 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 238. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Also:

H. 408. To apply in all counties having a population of 300,000 or more, according to the last or any future federal census: to further regulate the probate court in such counties, and to relieve and exempt the probate judge in such counties from personal liability for errors, mistakes and omissions of employees serving under any Merit System Act or Civil Service System.

Also:

H. 439. To apply to all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any future federal census, to further regulate the Probate Court in such counties, and to provide for the closing of the office of the Judge of Probate and the Probate Court of such counties.

Also:

H. 452. To amend Sections 10 and 30 of Act No. 905, H. 1510, Regular Session 1961, an act creating the Montgomery County Court, in relation to the compensation of the judge of the court, and court costs.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 214. To provide a secretary for the County Solicitor (Deputy District Attorney) of DeKalb County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns herewith to the Senate:

S. 288. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Also:

S. 245. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Also:

S. 337. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Also:

S. 349. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

S. 366. Relating to all counties having populations of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Williams:

H. 1002. To alter, rearrange and extend the boundary lines of the Town of Hollywood, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
JACKSON COUNTY

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines of the town of Hollywood, Jackson County, Alabama, so as to include within the cor-

porate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the Town of Hollywood, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said Town of Hollywood shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Begin at the Northeast corner of the South half of Section 25, Township 3 South, Range 6 East, and run thence West with the North boundary of the South half of said Section 25 and to the point of intersection of the said half-section line with the Southeast right-of-way of the Southern Railway; thence run Southwesterly with the Southeast right-of-way line of Southern Railway to its point of intersection with the North boundary of the Southeast quarter of Section 35, Township 3 South, Range 6 East; thence run West with the North boundary of the South half of said Section 35 and the North boundary of the South half of Section 34, Township 3 South, Range 6 East and to the Northwest corner of the South half of said Section 34; thence run South with the West boundary of said Section 34 and to the Southwest corner of said Section 34; thence continue running South with the West boundary of Section 3 and the West boundary of Section 10, Township 4 South, Range 6 East, and to the point of intersection of the West boundary of said Section 10 with the center of Dry Creek; thence run with the meanderings of the center of Dry Creek in a generally Southeasterly direction across said Section 10 and across Section 15, Township 4 South, Range 6 East, and to the point of intersection of the center of Dry Creek with the South boundary of said Section 15; thence run East with the South boundary of said Section 15 and the South boundary of Section 14, Township 4 South, Range 6 East and to the Southeast corner of said Section 14; thence run North with the East boundary of said Section 14 and with the East boundary of Section 11, Township 4 South, Range 6 East, and to the point of intersection of the East boundary of said Section 11 with the South boundary of the Harlin, Morgan and Rilie Reservations; thence run diagonally in a Northeast direction and to the point of intersection of the North boundary of the Harlin, Morgan and Rilie Reservations with the East boundary of Section 1, Township 4 South, Range 6 East; thence run North with the East boundary of said Section 1 and to the Southeast corner of Section 36, Township 3 South, Range 6 East; thence run North with the East boundary of said Section 36 and the East boundary of Section 25, Township 3 South, Range 6 East to the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hollice Smith, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Jackson County Advertiser, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, 15, 22, and 29, all in the year 1971.

HOLLICE SMITH.

Sworn to and subscribed before me 4th of May, 1971.

JERRY J. GRATH,
Notary Public.

My Commission Expires 11/3/74.

Also:

By Mr. Coshatt:

H. 1040. To amend Act No. 257, Acts of Alabama 1959, to provide for the payment of expense allowance to members of the governing body, of all counties having a population of not less than 27,900 nor more than 33,500, according to the last Federal decennial census; and to validate actual expenses heretofore paid for travel outside the county on county business.

Also:

By Messrs. Manley and Pruitt:

H. 965. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing

ing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me June 18, 1971.

ELIZABETH F. STEWART,
Notary Public,
Perry County, Ala.

Also:

By Messrs. Pruitt and Manley:

H. 967. To create and establish a Park and Recreation Board for the town of Livingston in Sumter County; to prescribe the composition, powers, and duties of said board, to provide for the necessary appropriations, and to provide for a director and staff for the board.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create and establish a Park and Recreation Board for the town of Livingston in Sumter County; to prescribe the composition, powers, and duties of said board, to provide for the necessary appropriations, and to provide for a director and staff for the board.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a Park and Recreation Board for the town of Livingston. Such board shall be composed of five citizens of the town selected for their knowledge and

interest in parks and recreation and for their community leadership. The governing body of the town of Livingston shall appoint two members for two year terms, and three members for four year terms, and shall thereafter appoint successors to each member for terms of four years. The board shall select from among its members its chairman and shall meet at least once each calendar month. Three members shall constitute a quorum. The members shall receive no compensation other than the actual expenses incurred in the performance of their duties.

Section 2. The Board shall appoint a Director of Parks and Recreation and shall prescribe his qualifications, powers, duties and compensation. The Director shall, with the approval of the Board, employ any personnel necessary to carry out the purposes of this act, and shall prescribe their qualifications, duties, authority and compensation.

Section 3. The board shall direct, supervise, and promote such recreation programs as will contribute to the general welfare of the residents of Livingston. It shall have control over all lands, buildings, equipment and other facilities purchased or leased by it, or assigned to it for recreational purposes by the town, or otherwise acquired by it.

Section 4. The board is hereby authorized to:

(a) Enter into contracts with and cooperate fully with other local agencies, state agencies and federal agencies for the purpose of maintaining and improving the recreational services and facilities of the town.

(b) Acquire lands, buildings, and facilities for recreational purposes through purchase, lease, gift or sale;

(c) Accept grants or loans from the federal government, state government, foundations, and other agencies when such grants or loans are available;

(d) Borrow money for recreational purposes and issue revenue bonds under such terms as may be practicable.

Section 5. The governing body of the town of Livingston shall appropriate to the Park and Recreation Board any funds it deems advisable to carry out the purposes of this act.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David Poynor, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Manager of the Home Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on June 2, June 9, June 16, and June 23, all in the year 1971.

DAVID POYNOR.

Sworn to and subscribed before me this 25th Day of June, 1971.

IRA D. PRUITT,
Notary Public,
Sumter County, Alabama.

Also:

By Mr. Smith (P):

H. 1044. Applying to Talladega County, authorizing applications for registration to vote to be made before the judge of probate or his employees, providing that such applicants need not appear in person before the board of registrars or any member thereof, and granting full rule-making power to the board of registrars to carry out the purposes of this act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applying to Talladega County, authorizing applications for registration to vote to be made before the judge of probate or his employees, providing that such applicants need not appear in person before the board of registrars or any member thereof, and granting full rule-making power to the board of registrars to carry out the purposes of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to Talladega County.

Section 2. Application for registration to vote may be made before the probate judge or before any employee of his office designated by him to receive such applications, during all regular office hours of the probate office, and no such applicant for registration shall be required to appear in person before the county board or registrars or any of its members.

Section 3. The board of registrars may make reasonable rules and regulations as it deems proper for the receipt of such applications for registration and the accomplishing in as expedient a manner as possible for the registration of those entitled or register, but no person shall be registered until a majority of the board of registrars has passed favorably upon such person's qualifications.

Section 4. This act shall become effective only upon the ratification of a constitutional amendment adopted in the 1971 Regular Session of the Alabama Legislature authorizing the passage of such legislation.

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Janette M. Vincent, who being duly sworn according to law, deposes and says that he is the Clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 19, 1971, June 22, 1971, June 29, 1971 and July 6, 1971.

JANETTE M. VINCENT.

Subscribed and sworn to before me this 6th. day of July 1971.

ZELL S. COPELAND,
Notary Public.

Also:

By Mr. Smith (P):

H. 1046. Relating to Talladega County, to provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in such county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County, to provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. On or after September 1st of each year, the judge of probate of Talladega County may, if he elects to do so, mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them.

Section 2. The application shall be on a form to be provided by the state department of revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year and motor number of his motor vehicle and such other information with respect thereto as the state department of revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for by this Act. The application form shall also contain

a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature.

Section 3. At the request of the judge of probate of the county, the tax assessor shall cause the application form to be filled in with the name and address of the owner, the description of the motor vehicle and the license tax and fees to become due on October 1st succeeding, as shown on the license registration and transfer records in his office. The tax assessor shall cause to be correctly filled in thereon the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama of 1940. The judge of probate shall thereupon cause the application, so filled in to be mailed to the owner of the motor vehicle at his address shown thereon or at the address to which such owner requests that the application form be mailed.

Section 4. The owner of the motor vehicle shall, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, sign the application form, indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes and fees as shown thereon to the judge of probate. Money orders for the payment of such taxes and fees shall be made payable to the judge of probate. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax and fees, the judge of probate shall pay over to the tax collector the amount of ad valorem taxes. The tax collector shall verify the correctness of ad valorem taxes paid. The judge of probate shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof.

Section 5. When an application is returned to the judge of probate unsigned or when less than the correct amount of the taxes and fees due therefor has been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received, the judge of probate shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 6. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the judge of probate on or before November 10th preceding the November 15th on which the motor vehicle license tag is due and payable, and the judge of probate shall mail such tag on or before November 14th preceding such November 15th.

Section 7. The judge of probate shall charge and collect an additional fee of one dollar for each motor vehicle license tag issued by mail. This fee shall be paid with the mailed request for license tags. Such additional fee shall be paid by the judge of probate into the county treasury and the actual expense of mailing application forms to the owners of motor vehicles and of mailing tags as hereinabove provided shall be paid from the county treasury upon warrant signed by the judge of probate and approved as provided by law.

Section 8. All the forms necessary in the administration of this Act shall be furnished by the state department of revenue.

Section 9. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance

of license tags is optional, additional and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tag in person without the payment of any of the additional fees hereinabove provided. No judge of probate shall be required to collect taxes and issue license tags by mail unless he elects so to do.

Section 10. In each county to which this Act applies in which motor vehicles are assessed for ad valorem taxes and the motor vehicle license taxes are paid to and tags issued by a commissioner of licenses or other like officer or officers, such commissioner of licenses or other officer or officers shall have the rights and options and perform the respective duties imposed by this Act upon the judge of probate, tax assessor and tax collector.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 15, June 22, and June 29, all in the year 1971.

LENA ROBINSON.

Sworn to and subscribed before me 29th Day of June, 1971.

ZELL S. COPELAND,
Notary Public.

Also:

By Mr. Smith (P):

H. 1047. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction with Talladega County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Talladega County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Janette M. Vincent, who being duly sworn according to law, deposes and says that he is the Clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 19, 1971, June 22, 1971, June 29, 1971 and July 6, 1971.

JANETTE M. VINCENT.

Subscribed and sworn to before me this 6th. day of July 1971.

ZELL S. COPELAND,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1002, 1040, 965, 967, 1044, 1046 and 1047. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 46. Resolution inviting Sumiton Choral Group to perform before Joint Session of House and Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Gray (F) and Adams, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Callahan, Carnes, Carter, Cauthen, Cherner, Chesnut, Collins, Connell, Coshatt, Cottingham, Cross, Crowe, Culver, Dill, Downing, Drake, Easters, Edwards, Erdreich, Falkenburg, Gloor, Goodwin, Grainger, Grey (D), Hale, Hardin, Harris, Headley, Hearn, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, Lyons, McBride, McCorquodale, McDonald, Manley, May, Meeks, Naramore, Nettles, Owens, Parker (H), Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stokes, Straiton, Stubbs, Taylor, Therrell, Timmons, Turner, Waldrop, Wallace, Warren, Weeks, Williams, Wise and Wynot:

H. J. R. 86. RESOLUTION MEMORIALIZING DANIEL LOUIS ARMSTRONG, OTHERWISE KNOWN AS "SATCHMO".

JOHN W. PEMBERTON,
Clerk

HOUSE MESSAGE

The Resolution, H. J. R. 86, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 556. To provide for the investment of retainage due contractors under contracts for public improvements.

Committee on Finance and Taxation.

By Mr. Harris:

S. 577. Regulating the compensation of Legislative Reference Analysts or persons in other similar positions, who are employed by the Legislative Reference Service subject to the provisions of the Merit System; providing that the rate of compensation of such persons shall never be less than the rate of compensation prescribed for attorneys in corresponding ranks in the classified service.

Committee on Finance and Taxation.

By Mr. Hammond:

S. 558. To amend Section 5, of Act No. 643, H. 854, Regular Session, 1967 (Acts of Alabama 1967, Page 1455) approved September 8, 1967, entitled "An Act providing for the regulation of junkyards along the interstate and primary systems; restricting location; licensing; screening; acquisition; penalties."

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Hammond:

S. 559. Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County each member of the jury commission and the clerk of said commission shall be paid the sum of fifteen dollars (\$15.00) per day for the time actually engaged in the discharge of his duties as a member, to be paid out of the county treasury upon the warrant drawn by the judge of probate of the county. The warrants shall be issued by the judge of probate only upon evidence satisfactory to him that such service has been rendered.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 560. To regulate the compensation of the members of the county board of education in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To regulate the compensation of the members of the county board of education in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education of DeKalb County, shall receive from the public school funds of the county, as compensation for their services, fifteen dollars (\$15) per day for each day in which they are actually attending meetings and transacting business of the board. The compensation herein provided shall be in addition to any expense or travel allowances provided for members of such boards. Provided, however, the members of the DeKalb County Board shall not be allowed pay for more than twenty-four days in any one year.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 561. To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County, the chief clerk of the judge of probate shall be entitled to a salary of \$400 a month for the performance of his duties, which salary shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 562. Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of DeKalb DeKalb County is hereby authorized and empowered to borrow money in anticipation of revenue not otherwise pledged in order to meet expenses for the current fiscal year. All such governing bodies are authorized and empowered to pledge such anticipated revenues for payment of such loan or loans. The total indebtedness of the county shall not exceed \$100,000.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 563. Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other compensation and allowances provided by law, the judge of DeKalb County, shall receive an expense allowance of one hundred and fifty dollars (\$150) per month, payable out of the county treasury, upon his warrant drawn upon the county treasurer or other proper custodian.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 564. Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The DeKalb County court of county commissioners, board of revenue, or other like county governing body is directed to adjust the compensations of the judge of probate, sheriff, tax assessor, tax collector, and circuit clerk by providing for each an additional remuneration of fifty dollars (\$50.00) per month as cost-of-living provision. Such compensations shall be in addition to all other compensations heretofore provided and shall be payable out of the general fund of the county.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 565. Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of Education in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of education in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the DeKalb County board of education, shall be allowed and paid the sum of \$10.00 per meeting, to cover the expenses incurred by them in and about the attendance of such meetings and the performance of their duties as such officers. This allowance shall be in addition to any salary or per diem allowance now allowed by them by law. It shall be paid to them out of the public school funds of such county upon claims therefor, certifying attendance at the meeting for which the expense allowance is claimed, signed by the member claiming it.

Section 2. This Act become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 566. Further regulating the meetings of the county board of registrars in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

Further regulating the meetings of the county board of registrars in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of DeKalb County may visit precincts and voting places in the performance of their official duties, as provided in Section 26, Title 17, Code of Alabama (1940), as amended, if the board, in its discretion, determines

that such visits are needed; but if the board determines that such visits are not necessary, the members thereof may use that time to meet at the courthouse and receive applications for registration from persons residing anywhere in the county.

Section 2. All laws or parts laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 567. Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. In order to provide funds for the maintenance of a public law library heretofore established in DeKalb County there shall be taxes as costs the sum of \$1.50 in each civil or quasi-civil action at law, in equity, criminal case, quasi-criminal case proceedings on a forfeited bail bond or proceedings on a forfeited bond given in connection with an appeal from a judgment of correction in any inferior

or municipal court of such county to the circuit court of the county or other court having jurisdiction of such appeals, hereinafter filed in, arising in or brought by appeal, certiorari or otherwise to the circuit court of the county or other court of the county having jurisdiction of appeals, which costs shall be collected as other costs in such cases are collected by the clerk of said courts or the register in chancery thereof, as the case may be, and shall be paid to the county treasurer.

Section 2. There shall also be taxed as costs the sum of 75 cents in each criminal or civil case hereinafter filed in the inferior court of such county, which costs shall be collected as other costs in such cases are collected and when collected by the judge of said court shall be paid by him to the county treasurer.

Section 3. The tax herein provided shall be in lieu of all taxes or court costs charged or collected in such counties for public law library purposes. The sums herein provided to be paid to the county treasurer shall be kept by him in a separate fund designated as "Law Library Fund," and shall be expended by the presiding judge of the circuit court of the county, for maintaining said law library. Said presiding judge shall draw warrants on the county treasurer for expenditures as hereinafter provided indicating on the warrants the funds against which the warrants are drawn.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 568. Authorizing the appointment of juvenile court officers in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Authorizing the appointment of juvenile court officers in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of any statutory court in DeKalb County having and exercising jurisdiction in juvenile cases may appoint a juvenile court officer to conduct investigations and make reports in juvenile cases and to perform such other duties as the judge may require. The compensation of the juvenile officer shall be fixed by the judge, subject to approval by the governing body of the county, at a sum not to exceed \$300.00 a month. The salary of the juvenile officer, together with the cost of his office supplies, office rent, furniture, fixture and travel, not to exceed \$4,800.00 per annum altogether, shall be paid from the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 569. Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said court, to be paid into the general fund of such county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said Court, to be paid into the general fund of such County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Judge of the Inferior Court of DeKalb County, shall receive as a salary the sum of \$6,000.00 per year, payable in equal monthly installments, out of the County Treasury upon his warrant drawn upon the County Treasurer, or other proper custodian.

Section 2. That all fees collected by such Inferior Court, and fines and forfeitures, not otherwise designated by law shall be paid into the General Fund of DeKalb County.

Section 3. Should any portion, parcel, paragraph or part of this Act be held unconstitutional, it shall not affect the balance of said Act.

Section 4. This Act becomes effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 570. Relating to DeKalb County to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED

Relating to DeKalb County; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars (\$5), which shall be collected by the sheriff and deposited in the county treasury. Four-fifths of the amount of each fee collected shall be credited to a special fund or account in the county treasury known as the sheriff's fund. The sheriff's fund shall be drawn upon by the sheriff and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit. The establishment of the sheriff's fund as provided in this Act shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office. The remaining part of each fee collected shall be credited to the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 571. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fee for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

AN ACT

To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any persons, firm, or corporation desiring to operate a hunting or shooting preserve in DeKalb County on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the director of conservation governing the operation of hunting preserves.

Section 2. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land, including water area, if any, and shall be restricted to not more than 1,000 contiguous acres including water, if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state director of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the director of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "LICENSED HUNTING PRESERVE," and such other words as the director of conservation may prescribe. No hunting preserve shall be located within one mile of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which the shooting of turkeys is authorized.

Section 3. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bobwhite quail, coturnix quail, pheasants, chuckar patridge, and such other species of fowl as the director of conservation shall designate. A minimum stock of at least 1,000 bob-white quail, if bob-white quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 4. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve shall first file a request with a local state game warden, or with the state department of conservation, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the department of conservation he shall have a permit issued to him to procure a license to operate such hunting preserve. Upon presentation to the judge of probate of the county in which the preserve is located of a permit from the de-

partment of conservation, dated not more than thirty days prior to its presentation, accompanied by the proper license fee prescribed in this section, and an issuance fee of fifty cents, the judge of probate of any county to which this Act applies shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the director of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation.

Section 5. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture, kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed, or otherwise recovered on such preserve and the bag limits shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 6. Bob-white quail and coturnix quail shall be tagged with self-sealed tag prior to being released on the preserve. The operators of hunting preserves shall cooperate in other requests which the director of conservation might make for scientific investigations. The Alabama Department of Conservation shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

Section 7. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be open to inspection by any duly authorized representative of the state department of conservation at any reasonable time, and shall be the basis upon which the bag limits and hunting seasons in section 6 thereof shall be determined.

Section 8. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regular established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.

Section 9. Duly authorized agents of the state department of conservation, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves; and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves either by the owner, guests, or patrons of such preserves shall be grounds for revocation of the hunting preserve license; and the director of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 10. Any person, firm, or corporation who operates a licensed hunting preserve in violation of any provision of this Act

or a duly promulgated rule of the director of conservation relative to the operation thereof shall be guilty of a misdemeanor; and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 572. To apply to DeKalb County; providing an expense allowance payable from the county treasury for the use of the coroner.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To apply to DeKalb County; providing an expense allowance payable from the county treasury for the use of the coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County, the coroner shall be entitled to an allowance of not more than \$150.00 per month for expenses incurred in and about the performance of the duties of his office. The amount

of such allowance shall be determined by the county governing body and shall be paid at the end of each month from any funds in the county treasury not otherwise appropriated. The allowance shall be in addition to all compensation, fees, and allowances heretofore provided by law.

Section 2. This act is cumulative and shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 573. To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County, the members of the court of county commissioners, board of revenue, or other like county governing body shall be entitled to an allowance for travel and other expenses in an amount not to exceed \$100 per month, and the chairman of such governing body shall be entitled to such allowance in an amount not to exceed \$200 per month. All such claims for the allowances provided

herein shall be paid out of any available funds of the county upon the voucher of the chairman of the county governing body.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 574. Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor or deputy district attorney in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other compensation and allowances provided by law the Solicitor of DeKalb County shall receive an expense allowance of one hundred and 00-100 dollars (\$100.00) per month, payable out of the county treasury, upon his warrant drawn upon the county treasury or other proper custodian.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 575. To apply to DeKalb County; providing an expense allowance for judge of the county court in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To apply to DeKalb County; providing an expense allowance for judges of the county court in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County, the judge of the county court shall be entitled to receive an expense allowance of \$600 per year, at the discretion of the court of county commissioners or other like county governing body, which allowance shall be paid in equal monthly installments at the end of each month from the general funds of the county. Such allowance shall be in addition to all compensation and allowances heretofore provided by law.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 576. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at this or the next regular or special session of legislature of the State of Alabama, a Bill, substantially as follows, will be introduced:

A BILL TO BE ENTITLED AN ACT

An act relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend, the boundaries of the Town of Geraldine.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Geraldine in DeKalb County are hereby altered re-arranged and extended to include within the corporate limits of the Town of Geraldine the following described territory in addition to that already within the corporate limits, to-wit:

The South Half of the Southeast Fourth of Section 34, Township 7 South, Range 6 East. The Northwest Fourth of the Northeast fourth of Section 3, Township 8 South, Range 6, East. The West half of the Northeast Fourth of Section 10, Township 8 South, Range 6 East. The South half of the Southwest Fourth of the Southeast Fourth of Section 10, Township 8 South, Range 6 East. The Southeast Fourth of the Northeast Fourth of Section 16, Township 9 South, Range 6 East. The South half of the Northwest Fourth, the Southwest Fourth of the Northeast Fourth, the Northwest Fourth of the Northwest fourth, all in Section 16, Township 8 South, Range 6 East in DeKalb County, Alabama.

Said area all lying in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 4, March 11, March 18, and March 25, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 577. Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retroactive.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the DeKalb County board of equalization shall each be paid five dollars per diem for each day's attendance upon the sessions of the board in addition to the compensation provided by Sections 94 and 95, Code of Alabama 1940, as amended. The additional per diem pay shall be paid on order of the Chairman of the Board of Revenue out of any funds in the county treasury not otherwise appropriated.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Hammond:

S. 578. Relating to DeKalb County; to provide for the payment of per diem allowance to members of boards of registrars in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; to provide for the payment of per diem allowances to members of boards of registrars in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the boards of registrars of DeKalb County shall each receive \$5.00 per day to be paid by the county on order of the probate judge for each days attendance of the registrar upon the sessions of the board. The per diem provided for herein shall be payable from the general funds of the county and shall be in addition to the compensation of registrars payable by the state as prescribed by Act No. 531, S. 101, Regular Session 1947 (Acts 1947, P 388), as amended.

Section 3. The provisions of this Act are cumulative.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me July 12, 1971.

MARY RUTH BROWN,
Notary Public.

By Mr. Wilson:

S. 579. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose relative to air pollution; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violation of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Committee on Health.

By Mr. Wilson:

S. 580. To amend Section 15 of Title 51 Code of Alabama, 1940, which exempts certain homesteads from state ad valorem taxes, so as to increase the amount of the exemption from \$2,000 to \$5,000.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 581. To amend further Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from stated ad valorem taxes, so as to provide additional exemptions for persons permanently and totally disabled.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 582. To provide for license tags on boat trailers; to provide for the cost thereof and to provide for the disposition of the proceeds therefrom.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 583. To amend Sections 435, 438, 439, 440 and 445 of Title 51 of the Code of Alabama of 1940 so as to change the time for certain acts with respect to estates of decedents dying after the effective date of this Act.

Committee on Judiciary.

By Mr. Wilson:

S. 584. To amend Section 15 of Title 51 Code of Alabama, 1940, which exempts certain homesteads from state ad valorem taxes, so as to increase the amount of the exemption from \$2,000 to \$5,000.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 585. To amend Section 118 of Title 7, Code of Alabama, 1940, which relates to the bringing of an action by the father or mother for injury to a minor child.

Committee on Judiciary.

By Mr. Wilson:

S. 586. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Committee on Health.

By Mr. Wilson:

S. 587. To amend Title 35, Section 291, Code of Alabama 1940 to extend Alabama state guard canteen privileges to members of the ready reserve.

Committee on Military.

By Mr. Wilson:

S. 588. To further amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, General and Local Acts of Alabama 1949, p. 68, as amended by Act No. 57, S. 16, approved March 7, 1955, Acts of Alabama, 1955 Special Session, p. 86, as further amended by Act No. 172, H. 485, approved July 29, 1955, Acts of Alabama, 1955 Regular Session, p. 437, so as to provide that members of the Board of Directors of a public hospital corporation shall receive fifty dollars (\$50.00) a month for compensation together with reimbursement for their actual expenses incurred in the performance of their duties.

Committee on Health.

By Mr. Wilson:

S. 589. To provide for the valuation and assessment of real and personal property for ad valorem taxation; to set the percentage of value to be used for assessments; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 590. To create the Governor's Mansion Advisory Board, hereinafter referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 591. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

Committee on Judiciary.

By Mr. Wilson:

S. 592. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policeman or other municipal law enforcements officers or state troopers who, while employed by a municipality, are killed in the line of duty.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 593. Relating to taxation; to amend Title 51, Section 2 (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 594. To make an appropriation to the Office of the Attorney General and to provide for special investigations, clerical assistants, equipment, travel and other necessary expenses.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 595. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties; and making an appropriation.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 596. To amend further Section 388 of Title 51, Code of Alabama, 1940, which relates to exemptions from the state income tax on individuals.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 597. To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilson:

S. 598. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 599. Relating to the furnishing of operating records by the director of public safety and the cost thereof, amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 600. To prescribe the fee to be allowed the Department of Public Safety for the furnishing of copies of certain records and reports by the Director of Public Safety.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 601. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Committee on Judiciary.

By Mr. Wilson:

S. 602. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Committee on Judiciary.

By Mr. Wilson:

S. 603. Relating to public safety; making the possession of valid drivers' licenses a prerequisite for obtaining motor vehicle license tags or plates and for enforcing certain claims for liability insurance; providing for the immediate suspension of drivers' licenses in certain cases involving uninsured motorists and providing for the conditions of reinstatement of such licenses; and prescribing penalties for certain violations.

Committee on Insurance.

By Mr. Wilson:

S. 604. To require newspapers to comply with certain practices respecting equal space for candidates for public office; prescribing penalties for violations.

Committee on Judiciary.

By Mr. Wilson:

S. 605. To amend Section 65 of Title 9, Code of Alabama 1940, relating to the recovery of interest on usurious contracts, so as to provide for recovery by civil suit of usurious interest on debts paid.

Committee on Banking.

By Mr. Wilson:

S. 606. To regulate further the rates to be charged for publication of legal notices by amending further Code of Alabama 1940, Title 7, Section 718, as amended; and by amending further Act No. 793, S. 117, Regular Session 1953 (Acts 1953, p. 1086), as amended.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 607. To provide for the valuation and assessment of real and personal property for ad valorem taxation; to provide for the department of revenue to determine value and administer the provisions of this Act; to abolish county boards of equalization; to create county boards of review; to provide procedures for assessing property for ad valorem taxation; to provide for the inventory and reappraisal of all taxable property in the state of Alabama, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 608. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, so as to increase the membership of said board from three to five members and to provide that all members shall be appointed by the Governor with the advice and consent of the Senate.

Committee on Judiciary.

By Mr. Wilson:

S. 609. To make an additional appropriation to the Office of the Attorney General from the General Fund.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 610. To amend Title 55, Section 298, Code of Alabama 1940, as amended, which relates to the Director of the Personnel Department.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 611. To provide for the appointment and compensation of a Director for each of the custodial institutions operated by the State Board of Corrections.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 612. To amend Section 1 and Section 2 of Title 48 of the Code of Alabama of 1940 relating to the number, election, and terms of office of the Public Service Commission so as to increase the membership of said Commission.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 613. To repeal Act No. 1117, S. 251, approved September 12, 1969, Regular Session of the Alabama Legislature 1969 (Acts 1969, p. 2060), entitled "An Act To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation"; and to provide that after the effective date of this Act any public corporation formed under the provisions of said Act No. 1117 shall have no further powers than those as are absolutely necessary to liquidate its outstanding obligations and commitments and to dissolve said corporation.

Committee on Health.

By Mr. Wilson:

S. 614. Relating to eminent domain proceedings; providing for courts to invest and reinvest monies deposited in eminent domain proceedings; and for crediting interest earned to the account of the Condemning Authority.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 615. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 616. To amend Section 2 of Act No. 93, 1967 Special Session of the Legislature, approved April 6, 1967, relating to the Office of the Attorney General.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 617. To amend Section 426, Title 51, Code of Alabama 1940 relating to excise tax on financial institutions and the officials authorized to sign returns; to remove the requirement that the return be sworn to by such official.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 618. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

Committee on Judiciary.

By Mr. Lybrand:

S. 619. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees and certain judicial officers in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing such commission to render advisory opinions relative to the applicability of this act.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 620. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

Committee on Municipal Government.

By Mr. Lybrand:

S. 621. To amend Title 51, Section 223 Code of Alabama, 1940 so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 622. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 623. To provide that all political parties which elect to hold primary elections under the primary election laws of the states shall nominate all candidates for all state, county, and federal offices, including electors for president and vice-president of the United States, by vote of the qualified voters voting in the primary election called by such party; and to amend Section 336, Title 17, Code of Alabama of 1940, as amended.

Committee on Constitution and Elections.

By Mr. Lybrand:

S. 624. To require that all candidates be legally qualified to hold office, to impose limitations on the adoption of a political loyalty oath as a prerequisite for qualification as a candidate for nomination, and to amend Title 17, Section 345, Code of Alabama, as amended:

Committee on Constitution and Elections.

By Mr. Lybrand:

S. 625. To provide a code of ethics for the executive and legislative branches of state government and for all state officials and employees therein, and for lobbyists; to establish the Alabama Ethics Commission as a permanent agency of state government, to provide for the appointment and terms of its members, and to prescribe its authority, duties and procedure; to define terms; to prescribe penalties for violations of this code of ethics; and to exclude officials and employees of the judicial branch of state government from the provisions of this act.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 626. Proposing an amendment to the Constitution of Alabama relative to canons of ethics for the judicial branch of state government and establishing a Commission of Judicial Ethics and to empower the Legislature to provide for a system of retirement for justices, judges and officials of courts.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Lybrand:

S. 627. Relating to eminent domain proceedings; providing for courts to invest and reinvest monies deposited in eminent domain proceedings; and for crediting interest earned to the account of the condemning authority.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 628. Proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote; and respecting the rights, privileges, immunities, responsibilities and liabilities of persons eighteen years of age and upwards.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Lybrand:

S. 629. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party".

Committee on Constitution and Elections.

By Mr. Lybrand:

S. 630. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Committee on Constitution and Elections.

By Mr. Lybrand:

S. 631. To amend Section 1 and Section 2 of Title 48 of the Code of Alabama of 1940 relating to the number, election, and terms of office of the Public Service Commission so as to increase the membership of said Commission.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 632. To amend Section 1 and Section 2 of Title 48 of the Code of Alabama of 1940 relating to the number, election, and terms of office of the Public Service Commission so as to increase the membership of said Commission.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 633. To amend the revenue provisions of Title 51, Code of Alabama 1940, so as to provide for retention of revenues by counties based on the population of counties.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 634. To authorize and direct the State of Alabama to pay from the revenue received from the State Sales and Use Tax and into the General Fund of Pickens County equal to four (4%) percent of the face value of the food stamps issued in Pickens County under the United States Food Stamp Program.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 635. To amend the title and Section 1 of Act No. 594, S. 716, Regular Session 1969 (Acts 1969, p. 1081) which fixes the per diem pay for members of the county board of equalization of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 636. To amend the title and Section 1 of Act No. 160, H. 54, Special Session 1961 (Acts 1961, p. 2108) which authorizes the county governing body to fix the compensation of deputy sheriffs in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 637. To amend the title and Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 638. To amend the title and Sections 1 and 3 of Act No. 1092, S. 907, Regular Session 1969 (Acts 1969, p. 2077) which provides for the election and qualifications of members of the county governing body in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 639. To amend the title and Section 1 of Act No. 1006, S. 832, Regular Session 1969 (Acts 1969, p. 1880) which regulates the compensation of jurors in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 640. To amend the title and Section 1 of Act No. 190, S. 409, Regular Session 1969 (Acts 1969, p. 504) which increases the salary of the deputy solicitor of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 641. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 642. To amend the title and Section 1 of Act No. 13, H. 25, Third Special Session 1965 (Acts 1965, p. 217) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 643. To amend the title and Section 1 of Act No. 107, H. 381, Regular Session 1963 (Acts 1963, p. 488), which increases the pay of all employees of the county board of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 644. To amend the title and Section 1 of Act No. 95, H. 276, Regular Session 1963 (Acts 1963, p. 481), which regulates the compensation of the county superintendents of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 645. To amend the title and Section 1 of Act No. 67, H. 33, Special Session 1964 (Acts 1964, p. 88) which relates to closing the office of officials in the courthouse in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 646. To amend the title and Section 1 of Act No. 68, H. 34, Special Session 1964 (Acts 1964, p. 88) which provides further for the compensation of the coroner in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 647. To amend the title and Section 1 of Act No. 191, S. 71, Special Session 1969 (Acts 1969, p. 254) which regulates the compensation and number of meetings of members of the boards of education of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 648. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Committee on Local Legislation No. 1.

By Messrs. King, Hawkins, Dominick, Vacca and Bailes:

S. 649. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1971 for the adoption of an act which will be as follows:

AN ACT

To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120, et seq.) is hereby amended to read as follows:

Section 2. That there is hereby created and established in and for Jefferson County, State of Alabama, an Inferior Court which shall be hereafter known as and called "Criminal Court of Jefferson County," which said court shall be hereinafter referred to as "this court." This court is hereby invested with and shall have and exercise in said county, except as hereafter provided, original and final jurisdiction of all misdemeanors committed in said county, provided, however, that the jurisdiction of the court created by this Act shall not extend over offenses arising in any of the following precincts of said County of Jefferson, to-wit: 1 and 2, and concurrent jurisdiction with the Circuit Court of said county in misdemeanor cases, the same as is now or as hereafter may be conferred by law on said Circuit Court, but shall try all persons charged with an offense without a jury provided, however, that the jurisdiction of said court to try cases shall not include those offenses triable in the Juvenile Court of said county; and said Criminal Court of Jefferson shall have preliminary jurisdiction in all felony cases committed in the County of Jefferson that is now or such as hereafter may be conferred by law upon the justices of the peace of said county or upon Inferior Courts created in lieu of justices of the peace of said county. Said court, except as in this Act otherwise provided, in exercising the jurisdiction and powers conferred by this Act in all cases wherein the defendant is charged with a felony, shall conform to and be governed by the rules of practice and procedure, and shall have the same power and authority, as is now conferred by law upon justices of the peace in this State, and, except as herein otherwise provided, in all cases wherein the defendant is charged with a misdemeanor, said court shall have the same power and authority and shall conform to and be governed by the rules of practice and procedure, evidence and punishment as govern circuit courts and courts of like jurisdiction in this State insofar as applicable, otherwise all the provisions of the statutes and laws, provided for the trial and procedure of criminal cases in the county courts in this State, shall govern and apply as far as applicable to this court, provided, however, that the presiding judge of this court shall have the authority to adopt such rules of practice and procedure as is not inconsistent with this Act as in his discretion is necessary for the proper dispatch of the business of the court. That no trial or prosecution shall be instituted in this court by indictment, but all trials or prosecutions instituted in said court shall be upon affidavit and warrant as prescribed by law for the institution of trials and prosecutions in the county courts of this State.

Section 2. Section 3 (b) of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts 1965, Page 120 et seq.) is hereby amended to read as follows:

Section 3. (b) If a judge of the Criminal Court of Jefferson County, Alabama, shall be unable to discharge the duties of his office by reason of illness, disqualification, annual vacation, or inability to hold court, or if a docket of said court shall become so congested as to render help temporarily necessary, the presiding judge of the Circuit Court shall appoint a licensed attorney, who shall be a resident of Jefferson County, Alabama, who shall perform all of the duties of said judge of this court during such illness, disqualification, annual vacation or inability of the judge or if a docket of said court shall become so congested as to render help temporarily necessary. Such Special Judge shall receive the same compensation as the regular judge. The annual vacation of the judge shall not exceed thirty (30) days during any calendar year.

Section 3. Section 19 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts 1965, Page 120, et seq.), is hereby amended to read as follows:

Section 19. That after five (5) days from the rendition of a judgment in any cause, the said judgment shall be beyond the jurisdiction and out of the power of the court. Provided, however, that during the five (5) day period the court shall have the authority to pass the case to a further date and to continue to pass the case from time to time, and during said time the court shall maintain the power and authority to make such orders as were available to the court during the 5-day period immediately following the judgment.

Section 4. Section 23 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120, et seq.) is hereby amended to read as follows:

Section 23. That, upon a conviction of any defendant in misdemeanor cases, in said court, the court shall have the right to suspend the sentence whenever in the discretion of said court the same may be advisable, under such terms and conditions and for such time as may be prescribed by said judge for the ends of justice.

(a) When a judge of the Criminal Court of Jefferson County imposes a fine or jail sentence or both, the court may direct as follows:

(1) that the defendant pay the entire amount of the fine at the time sentence is imposed; or

(2) that the defendant pay the fine in specified portions or installments at designated periodic intervals, and in such case may direct that the fine be paid to the clerk of the court, who shall report to the court in the event of any failure to comply with the order; or

(3) where the defendant is sentenced to serve in the Jefferson County Jail and said execution of said jail sentence is suspended, and in addition thereto a fine is imposed upon the defendant; that payment of the fine and court costs be a condition of the said suspension of the execution of said jail sentence; or

(4) where the payment of a fine and court costs are suspended, the judge may do so without being required to sentence the defendant to serve a hard labor sentence in lieu of the payment of the fine and court costs.

Section 5. Section 31 of Act, 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) is hereby amended to read as follows:

Section 31. The presiding judge of said court may designate in writing by general order which shall continue until revoked by a general order of said order, clerks or deputy clerks or bailiffs as ex-officio judges of said court, and the ex-officio judges so designated shall have the same power and authority to take affidavits and issue warrants of arrest and search warrants that the judge of said court shall issue, but said ex-officio judges shall not try cases.

Section 6. That if any section, clause or provision of this Act shall be declared to be unconstitutional or held invalid, it shall not be held to affect or invalidate any other section, clause or provision but the same shall remain in full force and effect.

Section 7. That all laws and parts of laws, general, special, or local, in conflict with any of the provisions of this Act be and the same are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, July 3, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Weaver:

S. 650. To provide that unemployment insurance fraud investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the provisions of the Unemployment Compensation Law.

Committee on Business and Labor.

By Mr. Weaver:

S. 651. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code require-

ments; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

Committee on Insurance.

By Mr. Cooper:

S. 652. To authorize the use of beds in tuberculosis sanatoria or tuberculosis hospitals receiving a State subsidy for tuberculosis treatment for general or special hospital purposes after licensure therefor and when such beds are not needed for treatment of tuberculosis.

Committee on Health.

By Mr. Cooper:

S. 653. To prescribe standards for existing and future public facilities for the general assembly of people such as auditoriums, theaters, assembly halls, coliseums, and stadiums but not limited to these facilities; and, to direct the State Building Commission to provide adequate periodic inspection services to insure compliance with such standards necessary to provide for the health, safety, and welfare of the people of Alabama.

Committee on Health.

By Mr. Cooper:

S. 654. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

Committee on Health.

By Mr. Cooper:

S. 655. To amend Title 44, Section 15, 1940 Code of Alabama so as to provide for the payment of burial expenses of paupers and certain other persons.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 656. To establish a form indictment to charge the crime of illegal sale, delivery or other illegal disposition of depressant or stimulant drugs.

Committee on Judiciary.

By Mr. Cooper:

S. 657. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cooper:

S. 658. To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 659. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 660. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, facilitating the sale of, bartering, or giving away any heroin.

Committee on Judiciary.

By Mr. Cooper:

S. 661. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, bartering, or giving away any drug, compound, or narcotic, the possession, transportation, delivery, sale, offering for sale, bartering, or giving away of which is prohibited by Alabama law as prescribed by Code of Alabama, Title 22, Chapters 8, 8A, 8B, 9, 9A, 9B, 9C and 9D.

Committee on Judiciary.

By Mr. Cooper:

S. 662. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

Committee on Health.

By Mr. Cooper:

S. 663. In relation to the regulation of facilities for child care, repealing Title 49, Sections 62-90, as amended.

Committee on Health.

By Mr. Cooper:

S. 664. Authorizing consent to legally authorized medical, dental, health and mental health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

Committee on Health.

By Mr. Cooper:

S. 665. Further amending Code of Alabama 1940, Title 46, Section 297 (22p); relating to the practice of podiatry; bringing the definition of "surgical treatment" more in line with the functions and treatments that a podiatrist is qualified to perform, in respect to the training and educational requirements set out by the existing law.

Committee on Health.

By Mr. Cooper:

S. 666. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways of this State; prescribing penalties for the violation of this Act.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cooper:

S. 667. To amend Section 118 of Title 7, Code of Alabama, 1940, which relates to the bringing of an action by the father or mother for injury to a minor child.

Committee on Judiciary.

By Mr. Cooper:

S. 668. To provide a form indictment to charge the crime of selling, transporting, delivering, offering to sell, bartering, furnishing or giving away marijuana.

Committee on Health.

By Mr. Cooper:

S. 669. To provide that prisoners be furnished certain toiletries necessary to their personal hygiene, sanitation and cleanliness.

Committee on Health.

By Mr. Cooper:

S. 670. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Committee on Health.

By Mr. Cooper:

S. 671. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

Committee on Judiciary.

By Mr. Cooper:

S. 672. To provide that for the conviction of persons who wilfully allow or cause pain or injury to a child and to provide the punishment for such crime.

Committee on Judiciary.

By Mr. Cooper:

S. 673. To amend Sections 344, 345, 346, 347, 348, 349, 350 and 351 of Title 45, Code of Alabama 1940, relating to execution of death sentence; so as to provide further for place of execution.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 674. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Committee on Health.

By Mr. Cooper:

S. 675. To provide for the establishment of standards for giving blood alcohol tests, and to relieve physicians, registered nurses and duly licensed clinical laboratory technologists and clinical laboratory technicians from civil and criminal liability for damages resulting from the proper administration of a blood alcohol test when such test is made on the request of district attorney or other duly authorized prosecuting officer.

Committee on Health.

By Mr. Cooper:

S. 676. To provide that for the conviction of persons who wilfully allow or causes pain or injury to a child and to provide the punishment for such crime.

Committee on Judiciary.

By Mr. Cooper:

S. 677. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Committee on Youth and Student Activities.

By Mr. Cooper:

S. 678. To require instruction in the dangers of drug abuse to be taught in the public schools of this state.

Committee on Health.

By Mr. Cooper:

S. 679. Relating to model glue; prohibiting inhalation and providing a penalty.

Committee on Health.

By Mr. Cooper:

S. 680. To authorize the Alabama Corrections Institution Finance Authority to continue to lease a portion of the Kilby property and give certain improvements thereon to the Environmental Protection Agency of the United States of America for the purpose of maintaining and operating an environmental laboratory.

Committee on Health.

By Mr. Jones:

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

Be It Enacted by the Legislature of Alabama:

Section 1. That the members of the County Commission of Montgomery County, Alabama, shall be paid annual salaries as follows: The Chairman or presiding officer of said Commission shall receive an annual salary of \$8,200.00 and each member of said Commission shall receive an annual salary of \$7,000.00 payable in equal monthly installments out of the General Fund of said County; that the salary of the Administrator of the County Commission of Montgomery County, Alabama, may be fixed in accordance with the Personnel Act and Merit Law of said County.

Section 2. The County Commission of Montgomery County, Alabama, shall have the power and authority to have audited the accounts of the several officers of said County.

Section 3. That all salaries of the said officers mentioned in this Act and all clerical help shall be paid out of the General Fund of Montgomery County, Alabama, in equal monthly installments.

Section 4. That the premium on said officers bonds and the bonds of the Administrator shall be paid out of the General Fund of Montgomery County, Alabama.

Section 5. That the salaries provided for in this Act for the members of the County Commission of Montgomery County, Alabama, shall be the total amount of salaries received by said members of said Commission for all services rendered in connection with their duties as members of said Commission.

Section 6. That all laws or parts of laws, general, local or special, in connection with the provisions of this Act be, and the same are hereby expressly repealed.

Section 7. That this Act shall become effective upon the passage and approval by the Governor and upon the expiration of the term of office of the incumbent members of the County Commission in Montgomery County, Alabama, to which this Act applies.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Margaret B. Morgan, a Notary Public in and for the State and County aforesaid, personally appeared Betty K. Shine who, first being duly sworn according to law, deposes and says that she is BOOKKEEPER for The Advertiser Company, publishers of The Montgomery Advertiser and the Alabama Journal; and that the advertisement of Montgomery County Commission (A Bill to be Entitled an Act) appeared in said publication The Alabama Journal, June 16, 23, 30, July 7, 1971.

BETTY K. SHINE.

Sworn and subscribed before me this 8th day of July 1971.

MARGARET B. MORGAN,
Notary Public,
Montgomery County, Alabama.

By Mr. Jones:

S. 682. For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

Section 1. The Montgomery County Commission is hereby authorized to add to the amount now being paid under the provisions of Act. No. 25 of the 1961 Special Session of the Legislature of Alabama the amount of \$20.00 for the relief of Clyde Royal to compensate him for damages sustained as a result of injuries he received while acting within the line and scope of duties as an employe of Montgomery County. The injuries sustained were incurred under such circumstances that said County is obligated to pay such additional incurred damages, but said Clyde Royal has no recourse at law to recover; and Mrs. Clyde Royal shall continue to receive such additional amount of \$20.00 per month as specified under the provisions of Act No. 25 of the 1961 Special Session of the Legislature of Alabama in the event she survives Mr. Clyde Royal.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Margaret B. Morgan, a Notary Public in and for the State and County aforesaid, personally appeared Betty K. Shine who, first being duly sworn according to law, deposes and says that she is BOOKKEEPER for The Advertiser Company, publishers of The Montgomery Advertiser and the Alabama Journal; and that the advertisement of Montgomery County Commission (A Bill to be Entitled an Act) appeared in said publication The Alabama Journal, June 16, 23, 30, July 7, 1971.

BETTY K. SHINE.

Sworn and subscribed before me this 8th day of July 1971.

MARGARET B. MARGAN,
Notary Public,
Montgomery County, Alabama.

By Mr. Clark:

S. 683. To confer additional powers on public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted, or as at any time amended; to authorize any such public corporation to acquire, construct, improve and lease to others shopping center projects; and to prescribe the conditions under which the powers conferred on such corporations by this act may be exercised.

Committee on Finance and Taxation.

By Mr. Clark:

S. 684. To create the Governor's Mansion Advisory Board, hereinafter referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Clark:

S. 685. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Committee on Conservation.

By Mr. Clark:

S. 686. To authorize and direct the State Capitol Preservation Commission to organize, supervise, conduct and make a report of and recommendations based on a thorough and complete study of the State Capitol, its history, its architecture and its structural condition, with a view toward determining whether the public safety is endangered by its condition and the feasibility of restoring the central portion thereof to its 1851-1861 condition, of restoring other portions thereof to their original condition or their condition in some other appropriate era and also determining the most suitable and appropriate use to be made of such restored portion or portions of the Capitol; and to make an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Clark:

S. 687. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Clark:

S. 688. To create the offense of false personation of law enforcement officers and to provide punishment for the same.

Committee on Judiciary.

By Mr. Clark:

S. 689. To prohibit the taking or willful releasing of fish from the trotline, setline, basket, net, or box of another; making such offense a misdemeanor punishable by a minimum fine of twenty-five dollars.

Committee on Conservation.

By Mr. Clark:

S. 690. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Committee on Conservation.

By Mr. Clark:

S. 691. To amend Sections 1 and 2 of Act No. 11, H. 3, Special Session 1970 (Acts of 1969-70, p. 2612) entitled "An Act to levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act."

Committee on Conservation.

By Mr. Clark:

S. 692. To authorize the Director of Conservation to establish by regulation the methods and set the seasons for the catching or taking of shrimp from the waters of Alabama; and to authorize the Director of Conservation to set the legal size of such shrimp.

Committee on Conservation.

By Mr. Clark:

S. 693. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Committee on Conservation.

By Mr. Clark:

S. 694. To provide for the seizure and confiscation of property used in illegal night hunting of deer.

Committee on Conservation.

By Mr. Clark:

S. 695. To establish an Alabama Trails System; to provide for the identification, reclamation, preservation and protection of such lands of high scenic beauty, historic significance and recreation quality as may be suitable for use in an Alabama Trails System; to establish categories of trails; to provide for a Statewide Trails Advisory Committee; to provide for the acquisition of land; and to provide for additional powers and duties for the Director of Conservation.

Committee on Conservation.

By Mr. Clark:

S. 696. To establish an Alabama Scenic Rivers System; to provide for the selection and maintenance of scenic rivers; to provide for the acquisition of land adjacent to selected scenic river; and to provide for additional powers and duties for the Director of Conservation.

Committee on Conservation.

By Mr. Clark:

S. 697. To establish the Alabama Natural Areas Council and to provide for its membership, powers, and duties.

Committee on Conservation.

By Mr. Clark:

S. 698. To grant free fishing privileges in any public lakes in this State to certain resident citizens of the State.

Committee on Conservation.

By Mr. Clark:

S. 699. To authorize the director of conservation to declare open season on the killing of beavers under certain conditions and to provide for the payment of bounty therefor.

Committee on Conservation.

By Mr. Clark:

S. 700. To provide for the seizure and confiscation of property used in illegal night hunting of deer.

Committee on Conservation.

By Mr. Clark:

S. 701. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Committee on Judiciary.

By Mr. Clark:

S. 702. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

Committee on Conservation.

By Mr. Clark:

S. 703. To provide for the issuance of a permanent combined hunting and fishing license for any resident of this state who is at least sixty-five years of age; prescribing fees for such licenses and for issuance; providing for the use of revenue from the sale of such licenses; repealing conflicting laws and specifically repealing Act No. 546, S. 537, Regular Session 1965, and the conflicting provisions of Section 38, Title 8, Code of Alabama 1940, as amended.

Committee on Conservation.

By Mr. Clark:

S. 704. To amend Section 35 of Act No. 576, H. 256, Regular Session 1959, as amended, which dealt with the subject of water safety and established the Division of Water Safety of the Department of Conservation (Acts of Alabama 1959, Vol. 2, p. 1442).

Committee on Conservation.

By Mr. Clark:

S. 705. To exempt bona fide residents sixty-five years of age or older from the license fee imposed for the privilege of hunting.

Committee on Conservation.

By Mr. Clark:

S. 706. To amend Section 2 of Act No. 1001, Acts of Alabama, 1951 Regular Session of the Alabama Legislature, approved September 14, 1951 (Acts 1951, p. 1672), which prohibits certain methods for taking birds and animals in this State so as to provide that the Director of Conservation can provide by regulation for the use of a scaffold in hunting.

Committee on Conservation.

By Mr. Clark:

S. 707. To amend Title 2, Section 660, Code of Alabama 1940, as last amended, to increase the number of farmer members on the State Soil and Water Conservation Committee from 3 to 6 and to provide that no more than 1 farmer member may be appointed from each soil conservation district as created under Section 661, Title 2 of the Code of Alabama 1940.

Committee on Conservation.

By Mr. Clark:

S. 708. To provide for the seizure and confiscation of property used in the taking of deer and alligator from public waters.

Committee on Conservation.

By Mr. Pelham:

S. 709. To amend Section 65, Title 9, Code of Alabama 1940, as amended, to provide that any charge made or imposed in connection with the loan of money or the extension of credit in conjunction with a retail sale of tangible personal property shall be and constitute interest.

Committee on Banking.

By Mr. Pelham:

S. 710. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 711. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office, and compensation of the additional two members.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 712. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 713. Relating to elections; to require political committees organized on behalf of candidates for public office, or issues to be submitted to a popular vote, to file a certificate of officials and members; to establish the procedure for filing such certificate; and to prescribe penalties.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 714. Proposing an amendment to the Constitution of Alabama changing the date on which certain elected state officers may assume their respective offices.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 715. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 716. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 717. To make it a felony to use a wire tap or other electronic device to overhear the telephone conversation of third parties.

Committee on Judiciary.

By Mr. Pelham:

S. 718. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 719. Authorizing a special referendum to determine the classification of counties as wet or dry counties, which would provide a series of special rules governing the sale of alcoholic beverages in wet counties in addition to those provided in the general law.

Committee on Constitution and Elections.

By Messrs. Pelham and Harris:

S. 720. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 721. Proposing an amendment to the Constitution of Alabama pertaining to the consolidation of certain areas of Jefferson County, Alabama, into a single city, and matters relating thereto.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 722. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 723. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Committee on Constitution and Elections.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 724. To require any municipality which levies, imposes, assesses or collects a license fee, excise tax, or any other form of tax upon compensation earned within its corporate limits to do so only with the approval of its qualified electors.

Committee on Municipal Government.

By Mr. Pelham:

S. 725. Providing that all low rent housing projects hereafter developed must be approved by a majority of the qualified electors of the city, town or county in which it is proposed.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 726. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Committee on Banking.

By Mr. Pelham:

S. 727. To prohibit the Alabama Public Service Commission from approving, without notice and hearing, any schedule of rates and charges of any public utility or telephone company which has the effect of passing on to its customers or subscribers any alleged increases in purchased gas, fuel or taxes; any increase which, if approved, would increase the rates and charges of such utility or telephone company by more than one-half ($\frac{1}{2}$) of one percent (1%) of its gross revenues for the preceding fiscal year; and any increase in rates or charges based upon regrouping or extended area or locality and to repeal all laws, or parts of laws, and all orders of the Alabama Public Service Commission in conflict herewith.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 728. To rename the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Committee on Conservation.

By Messrs. Pelham and Harris:

S. 729. To regulate the use of insurance in connection with the loan or forbearance of money, and to authorize the Commissioner of Insurance to make rules and regulations relating thereto.

Committee on Insurance.

By Mr. Pelham:

S. 730. To promote the safety of pupils and teachers in the public schools of Alabama and to provide further for the maintenance of law and order in such schools; for such purposes to establish a division of school security in the State Department of Public Safety and charge the chief of such division with the duty of organizing, activating, and coordinating a school security program and also with the duty of employing, training and supervising a special school police or security guard for the State; and to make appropriations from the Alabama Special Educational Trust Fund to finance such school security program.

Committee on Finance and Taxation.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 46. Inviting Sumiton Choral Group to perform before Joint Session of House and Senate.

Also:

S. 245. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Also:

S. 288. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Also:

S. 337. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; relating to coroners, authorizing coroners to appoint deputies.

Also:

S. 349. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

S. 366. Relating to all counties having populations of not less than 14,500 nor more than 15,500, according to the most recent federal decennial census; providing for the manner of payment of the salaries of the sheriff and certain deputies in such counties.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 25. To amend Section 186 of Title 47, Code of Alabama, 1940 which relates to the jurisdiction of the circuit court to divide or sell property for division, so as to include therein the property of joint tenants with right of survivorship.

By Messrs. Lindsey, O'Bannon, Wilder, Owen, Foshee and Fine:

S. 249. To abolish primary elections of political parties in all cities and towns of 300,000 population or less; and to repeal conflicting laws.

By Mr. O'Bannon:

S. 319. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make future changes therein, to govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

By Mr. Dozier:

S. 329. Relating to the Twelfth Judicial Circuit of Alabama; providing for separation of the Jury by consent in the Circuit Courts of the Counties composing such Circuit.

By Mr. Dozier:

S. 330. To regulate the compensation of Jurors in the Twelfth Judicial Circuit of Alabama.

By Messrs. Shelby, Weaver, Lindsey, Lybrand and Harris:

S. 392. To revise existing bail practices in the courts of Alabama, and for other purposes, and to amend certain sections of Code of Alabama 1940, Title 15, to conform with such revision.

By Mr. Shelby:

S. 405. To provide for the formation of close corporations, and to provide for the powers, obligations and duties of stockholders and directors thereof; to provide for limitations on the continued existence of close corporations, and for the voluntary and involuntary termination of the existence of close corporations as such. To provide for management of the business of close corporations by the stockholders thereof; to provide for the appointment of a provisional director of close corporations, and for the appointment of one or more custodians of the property of close corporations. To provide for the conduct of

the business of close corporations as a partnership; and to provide for the dissolution of close corporations by the stockholders thereof, under certain circumstances.

By Messrs. Lindsey and Pelham:

S. 424. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

By Messrs. Lindsey and Pelham:

S. 426. To amend Code of Alabama 1940, Title 42, Section 7, so as to allow a parolee to be discharged from parole with credit for good conduct and faithful performance of duties while on parole.

By Mr. McLain:

S. 427. To amend Act No. 74, Acts of Alabama, Special Session 1961, approved September 15, 1961, which provides for a Judicial Conference for the State of Alabama; to prescribe the membership thereof, their duties, terms of office, and compensation.

By Mr. Dominick:

S. 453. To amend Act No. 427, S. B. 33, approved August 23, 1949 (General Acts 1949 pp 609-610) relating to the Legislative Reference Service and specifically amending the duties and powers of the Legislative Reference Service.

By Mr. Cherner et al:

H. 360. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State providing penalties for violations.

By Mr. Perloff et al:

H. 137. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

By Mr. Stubbs:

H. 311. To amend Section 396, Title 51, Code of Alabama 1940, as amended, which relates to fiduciary returns and to remove the requirement that the returns be made under oath.

By Mr. Stubbs:

H. 312. To amend Section 406, Title 51, Code of Alabama 1940 which relates to corporation returns and the officials authorized to sign the returns; to remove the requirement that the return be sworn to by such officials.

By Mr. Stubbs:

H. 313. To amend Section 426, Title 51, Code of Alabama 1940 relating to excise tax on financial institutions and the officials authorized to sign returns; to remove the requirement that the return be sworn to by such official.

By Mr. Bowers:

H. 315. To amend Section 587 of Title 37, Code of Alabama, 1940, as amended, relating to appeal from recorder's court.

By Mr. Erdreich et al:

H. 379. To amend Section 666, Title 7, Code of Alabama, Recompiled 1958, relating to amount of wages or salary exempt from estate of deceased employee.

By Mr. Pruitt:

H. 465. To authorize certain fiduciaries to convert, exchange or surrender any security as defined in this Act and to accept, receive and retain any other security as a result of any merger, reorganization, tender, exchange offer or other business transaction as enumerated in this Act; to provide that this Act shall apply to any security with respect to which this Act gives authority to a fiduciary no matter when the fiduciary relationship was established or when said security was acquired; to provide that the invalidity of any section, part or provision of this Act shall not affect the validity of the remaining portion of this Act; to repeal all laws or parts of laws in conflict with the provisions of this Act and to provide an effective date.

By Mr. Mathews:

H. 525. To provide for an expense allowance for the presiding judge of all Judicial Circuits in this State composed of three (3) counties with two (2) circuit judges, and having a total population of not less than 60,000 or more than 70,000 according to the last or any subsequent Federal Decennial Census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Mr. Weaver, Chairman of the Standing Committee on Youth and Student Activities, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 285. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Dobinick, Vacca, Cook, King, Hawkins and Gilmore (with amendment):

S. 473. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled: "To provide that any city of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal consensus shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute

a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Meeks et al:

H. 537. To authorize the county governing body of all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census to provide for the appointment of a County Pardon and Parole Board; to provide for the conditional release of county prisoners; to provide for the return to the County Jail of any prisoner who violates the condition of his release; and repeal all conflicting laws.

By Mr. Timmons et al:

H. 543. To apply in all counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal decennial census and to authorize the County Board of Health in all such counties to solicit, receive and hold gifts, grants, devises and bequests of money, real estate and any other thing of value and to use County Board of Health funds to match or supplement any such gifts, grants, devises and bequests of money, real estate or any other thing of value to carry out the purpose or purposes for which any such gift, grant, devise or bequest of money, real estate or other thing of value was given or granted; to further authorize said Board to purchase any real or personal property needed to carry out the functions of said Board.

By Mr. Boutwell et al:

H. 683. To permit persons to make returns of taxable property, whether real or personal, by mail in those counties where Section 80, Title 51, Code of Alabama of 1940, as amended, is now, or is hereafter, in effect.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 73. AUTHORIZING TWO MEMBERS FROM BOTH THE HOUSE AND SENATE COMMITTEES ON INSURANCE TO ATTEND THE NATIONAL NO-FAULT CONFERENCE IN DALLAS, TEXAS

On motion of Mr. Lybrand, said Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 304. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

Also:

H. 767. To provide further for the payment of an expense allowance to the members of the Tax Equalization Board in counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 81. Commending S. R. Butler High School Band of Huntsville.

Also:

H. J. R. 82. Commending the Huntsville Jaycees.

Also:

H. J. R. 83. Commending the Sylacauga Friendship Club on their Outstanding Contributions to their Community.

Also:

H. J. R. 85. Mourning the passing of Mr. Charles B. Cox and memorializing him for his devoted, unselfish, untiring service to Chilton County and Alabama.

Also:

S. J. R. 47. Naming the Athletic Fields at Alexander City State Junior College in Honor of Colonel William P. DeJarnette.

were again read and, on motion of Mr. Wilder, were adopted by the Senate.

RESOLUTIONS

Messrs. Gilmore, Vacca, Bailes, King, Dominick and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 50. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Bailes, Pierce, Fine and Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 51. BE IT RESOLVED by The Legislature of Alabama both Houses concurring, that the Governor of Alabama as Chairman of the State Building Commission call a meeting of said Commission on Wednesday July 21, 1971 at 10:00 A. M.

Which was read and referred to the Standing Committee on Rules.

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

Every person who is employed to receive compensation for the purpose of influencing, promoting or opposing any legislation shall register with the Secretary of State by filing the following information in writing: (1) the name and address of such person, (2) the name and address of such person's employer, (3) the kind and type of legislation in which such person is interested, and (4) the terms, conditions and the amount of compensation of such person. The information required to be filed hereunder shall be a public record.

Which was read and referred to the Standing Committee on Rules.

Mr. Harris offered the following Senate Resolution, to-wit:

S. R. 53. BE IT RESOLVED BY THE SENATE OF ALABAMA, That there shall be hereby established a permanent standing committee on Standards of Official Conduct in the Senate of Alabama. The committee shall consist of five senators appointed by the presiding officer of the Senate. The Committee, hereby established, shall be invested with the following specific powers:

1. To have referred to them measures relating to a code of official conduct or amendment thereto, together with any measures relating to financial disclosures required by members of the Senate.

2. To recommend to the Senate, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish and enforce standards of official conduct for members of the Senate.

3. To investigate, subject to limitations herein recommended, any alleged violations by a member of the Senate, of the code of official conduct for the Senate, or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such member in the performance of his official duties or the discharge of his responsibilities as a Senator, and, after notice and a hearing, at which the accused member must be given the opportunity to appear with counsel and present evidence and cross examine witnesses appearing against him to recommend to the Senate, by resolution or otherwise, such action and the procedure for such action as the committee may deem appropriate in the circumstances.

4. To give consideration to the request of a member of the Senate for an advisory opinion with respect to the general propriety of any current or proposed conduct of a member, and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinions for the guidance of other members.

However, the following limitations are hereby placed on the authority of the Senate committee:

1. No resolution, report, recommendation or advisory opinion relating to the official conduct of a member of the Senate involved shall be made, and no investigation of such conduct shall be undertaken, unless approved by an affirmative vote of the majority of the members of the committee.

2. Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual member only (a) upon receipt of a complaint, in writing, made by a

member of the Senate and delivered to the committee by the member making such complaint, or (b) upon receipt of a complaint from an individual non-senator, in writing and under oath, submitted to a member of the Senate and transmitted to the committee by a member of the Senate, or (c) upon receipt of a complaint, in writing and under oath, directly from an individual not a member of the Senate if the committee finds that such complaint has been submitted by such individual to no less than two members of the Senate which members must be fully identified by the complaining party and where such members have refused to transmit such complaint to the committee.

3. No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

4. A member of the committee shall be ineligible to participate as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the presiding officer of the Senate shall designate a member of the Senate to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

BE IT FURTHER RESOLVED That a Code of Official Conduct for Senators, as follows, is hereby established:

1. A member of the Senate of Alabama shall conduct himself at all times in a manner which will reflect creditably on the Senate of Alabama.

2. Every member of the Senate of Alabama shall adhere to the spirit and letter of the rules of the Senate of Alabama and to the rules of duly constituted committees thereof, including the committee on Standards of Official Conduct.

3. No member of the Senate of Alabama shall receive any compensation nor shall he permit any compensation to accrue to his beneficial interest, the receipt of which would occur by virtue of influence exerted from his position in the Senate and where such compensation is to any degree conditioned upon such exertion of influence.

4. No member of the Senate shall knowingly solicit, accept or receive any gift, thing of economic value, or compensation other than that to which he is entitled from the State, which is intended to influence the performance of his official duties or which would influence the performance of his official duties nor shall any member solicit, accept or receive such gift, thing of economic value or compensation for advocating the passage or defeat of any legislation or for doing any act intended to influence the passage or defeat of legislation, including his vote thereon. No member of the Senate shall accept any gift or thing of substantial economic value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Senate of Alabama.

Gift, as used in this section, shall include any thing of economic value with the exception of public awards, insignificant nonpecuniary gifts or compensation or gifts not connected with or related to either the legislative processes or the donee's services as a member of the Senate, nor shall gift or thing of economic value mean any food, drink or refreshments consumed by any official, including reasonable transportation and entertainment incident thereto while a personal guest of the person providing such.

5. No member of the Senate shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority, nor shall a member of the Senate use confidential information acquired by him in the course of his official duties to further his personal interests.

6. If a member of the Senate shall receive any compensation, or enter into any agreement with any person, organization or corporation or other entity for compensation for services rendered or to be rendered, for assisting such entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, including representation in hearings before State agencies, boards, or commissions, but excluding all courts, he shall, within thirty days after the receipt of such compensation or entry into an agreement for the receipt of such compensation, file with the Committee on Standards of Official Conduct of the Senate of Alabama of which he is a member, a written statement describing such representation as required by that part of the Code of Official Conduct for Senators relating to financial disclosures.

RESOLVED FURTHER That, in addition to complying with the above prescribed Code of Official Conduct, each member of the Senate shall, not later than April 30 following the date of their election if they are elected in a general election year, or within four (4) months following their election other than in a general election, and each year thereafter during their term of office not later than April 30, file with the Committee on Standards of Official Conduct of the Senate a report disclosing certain financial interests as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated Part "A" and Part "B".

PART "A"

1. List the name, instrument of ownership, and any position of employment held in any business entity doing business with the State of Alabama or any of its agencies or departments where the gross receipts for products, goods or services sold, furnished or supplied by such business entity to the State of Alabama or any of its agencies or departments, exceeds \$5,000 in any one calendar year, where the ownership by the Senator in such business entity is in excess of \$3,000 as of the date of filing or where the Senator received \$1,000 or more as income from such business during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

2. List the name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director or partner, or serves in any advisory capacity, from which income of \$1,000 or more was received during the preceding calendar year.

(a) If the professional organization in which the person reporting or his spouse is an officer, director or partner, or serves in any advisory capacity, has, during the preceding calendar year, received any compensation or entered into any agreement whereby compensation would be received, for services rendered or to be rendered, as a retainer, or otherwise, from any trade organization, association or professional association, or from any person, firm or corporation whose

regular business activities, as distinguished from mere licensing to do business, is subject to regulation and examination by a regulatory agency of the State of Alabama, and where such compensation to such professional organization during the preceding calendar year from any such trade organization, association or professional association, or corporation or other business entity exceeded the sum of \$1,000, then the person so reporting shall list the name and address of such trade organization, association, professional association, corporation or other business entity.

3. List the source of each of the following items received during the preceding calendar year:

(a) Any income for services rendered exceeding \$5,000.

(b) Any capital gain of a single source exceeding \$5,000 other than from the sale of a residence occupied by the person reporting. Information filed under Part "A" shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe, including, but not limited to, regulations requiring identification by name, occupation, address and telephone number of each person examining information filed under Part "A" and regulations requiring the committee promptly to notify each Senator of each instance of an examination of information filed under Part "A" by such member.

PART "B"

1. List the fair market value (as of the date of filing) of each item listed under Paragraph 1 of Part "A" and the income derived therefrom during the preceding calendar year.

2. List the amount of income derived from each item listed under Paragraph 2 of Part "A", and the amount of income to the professional organization of which the person reporting, or his spouse, is an officer, director or partner or serves in any advisory capacity listed under Paragraph 2 (a), Part "A", during the preceding calendar year.

The information filed under Part "B" shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than two-thirds of the members of the committee that the examination of such information is essential in an official investigation by the committee and promptly notifies the member concerned of any such determination. The committee may, by a vote of not less than two-thirds of the entire membership, make public any portion of the information unsealed by the committee under the preceding sentence and which the committee deems to be in the public interest.

Any person required to file a report who has no interests covered by the above provisions shall file a report so stating.

In any case in which a person required to file a sealed report under this Part "B" is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under Part "B" and remaining in the possession of the committee.

FURTHER DISCLOSURES

Any member of the Senate who shall receive any compensation or enter into any agreement with any person, firm or corporation or

other business entity for compensation for services rendered or to be rendered, for assisting any such person, firm or corporation or other business entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, and shall be required to disclose such under Paragraph 6 of the Code of Official Conduct for Senators, he shall file with the Committee on Standards of Official Conduct within thirty days after the receipt of such compensation, or entry into agreement for such compensation a statement, in writing, disclosing the following: (1) The name and address of the person, firm or corporation or other business entity from which such compensation has been or will be received; (2) Whether or not the compensation so received, or contracted to be received, exceeds \$100 if the precise amount of such compensation has been fixed, and, if not, state the basis on which such compensation is to be computed; and (3) The identification of the state agency, board or commission or official before whom the Senator will appear or with whom the Senator will deal in any transaction for the compensation so paid or to be paid to him. No specific form for the disclosure of the foregoing information is required, but a letter containing the required information shall be sufficient. Such information filed under this "Further Disclosure" provision shall be maintained by the Committee on Standards of Official Conduct, and made available to responsible public inquiry in the same manner and upon the same conditions as the disclosures required in Part "A" of Financial Disclosures.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 314. To allow prospective jurors to be excused without the presence of the defendant in capital cases in the Eighteenth Judicial Circuit of Alabama.

Also:

H. 393. To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000.

Also:

H. 443. To levy in Washington County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Washington County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide for the disposition of the proceeds of said tax; and to prescribe additional penalties for certain violations.

Also:

H. 464. Relating to counties with populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; to authorize the county commission in such counties to appropriate \$1,359.02 out of the general fund for the relief of Mrs. Grady Lee Lewis.

Also:

H. 516. Relating to Talladega County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Also:

H. 552. To apply only in counties having populations of not less than 16,700 nor more than 18,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

H. 560. To amend the Title and Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

H. 561. Relating to counties having populations of not less than 14,500 nor more than 15,500, fixing the fee for issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fees.

Also:

H. 562. To apply only to counties having a population of not less than 16,700 nor more than 18,000 according to the most recent federal census; allowing the sale of alcoholic beverages in certain locations previously prohibited.

Also:

H. 563. Relating to Marengo County; to prescribe the qualifications of the county superintendent of education in Marengo County; and to regulate his compensation and expense allowances.

Also:

H. 578. To repeal Act No. 46, H. 74, approved March 4, 1970, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act No. 837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approval at a referendum held in the county affected." (Acts of Alabama, Special Session, 1970, p. 2670).

Also:

H. 580. To repeal Act No. 526, S. 553, approved August 22, 1961, entitled, "An Act relating to consolidation of certain schools in counties having populations of not less than 24,800 nor more than 25,400; providing for and requiring referendums on such questions." (Acts of Alabama, 1961, p. 625).

Also:

H. 581. To repeal Act No. 101, H. 296, approved June 27, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, page 485).

Also:

H. 582. To repeal Act No. 147, S. 110, approved July 19, 1963, entitled "An Act Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties" (Acts of Alabama 1963, Volume 1, p. 521).

Also:

H. 583. To repeal Act No. 142, H. 155, which became effective August 28, 1964, entitled, "An Act relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places." (Acts of Alabama, 1964, p. 205).

Also:

H. 178. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Also:

H. 204. To amend the title and Section 1 of Act No. 33, S. 63, Regular Session 1967 (Acts 1967, p. 364), which provides an expense allowance for county solicitors of certain counties classified on a population basis.

Also:

H. 205. To amend the title and Section 1 of Act No. 188, S. 292, Regular Session 1967 (Acts 1967, p. 555), which Act prohibits the catching of fish by use of a gill or trammel net in public waters of certain counties classified on a population basis.

Also:

H. 206. To amend the title and Section 1 of Act No. 926, H. 893, Regular Session 1961 (Acts 1961, p. 1485), which act provides further for the compensation and allowances of members of the jury commission and clerk of the jury commission of certain counties classified on a population basis.

Also:

H. 210. To permit banks now or hereafter situated within the corporate limits of the City of Troy, Alabama, a municipal corporation, to establish, maintain or operate new branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business within the corporate limits of Troy, Alabama, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks, in the case of state banks, and with the written consent of the Comptroller of the Currency of the United States, in the case of national banks.

Also:

H. 219. To provide clerical assistance for the District Attorneys of circuits composed of one county having a population of not less than 50,000 nor more than 52,500.

Also:

H. 728. Relating to Marshall County; authorizing any city board of education in said county to pledge all or any part of its distributive share of the proceeds of any countywide ad valorem tax levied for public school purposes toward the payment of the principal of and interest on any bonds heretofore or hereafter issued by any such board.

Also:

H. 729. Relating to Marshall County; providing that no fee shall be charged or collected by any public official for the assessment or collection of ad valorem taxes levied in said county for public school purposes, nor shall any percentage of the proceeds of such tax be retained by any public official or by the county to cover the cost of assessment or collection; providing for the proceeds of all school taxes to be paid to the treasurers of the county and city school systems in Marshall County.

Also:

H. 768. To provide an expense allowance to the judge of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Also:

H. 468. Relating to Cherokee County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Also:

H. 503. To provide that the laws governing the countywide civil service system of Mobile County, Alabama, shall apply to the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, in the office of the County Treasurer of Mobile County, Alabama, and to provide for the person holding the position of Assistant County Treasurer to be known as the Chief Assistant to the County Treasurer, unclassified, to be placed on the employment roster of the civil service system of Mobile County, and to be placed in the proper class and salary level.

Also:

H. 504. Relating to Mobile County; to provide that the presiding judge of the circuit court for Mobile County may authorize sessions of the circuit court and the Mobile County Juvenile Court to be held at any place within the county.

Also:

H. 15. To authorize, provide for and regulate the establishment and operation of a retirement system for certain employees of the City of Anniston and certain incorporated and unincorporated municipal boards of the City; to authorize and provide for the establishment of the City of Anniston Retirement Trust Fund, to provide for the composition, management and administration of such trust fund; and to authorize, provide for and regulate the payment of benefits under the retirement system.

Also:

H. 13. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Anniston; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Also:

H. 97. To amend the Title and Section 1 of Act No. 160, H. 182, Special Session 1969, (Acts 1969, p. 226), which act provides further for additional clerk hire allowance for the tax assessors and tax collectors of certain counties classified on a population basis.

Also:

H. 98. Relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

H. 118. To authorize the judge of probate of Madison County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Also:

H. 304. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; and to repeal conflicting laws.

Also:

H. 767. To provide further for the payment of an expense allowance to the members of the Tax Equalization Board in counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census.

Also:

H. 409. Proposing an amendment to the Constitution of Alabama relating to Bibb County, and ordering an election thereon.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

S. 134. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

was again taken up.

The question was on the substitute offered by Mr. McLain, which said substitute is set out at length in the Journal of the Senate for the Sixteenth Legislative Day.

And said substitute was then adopted by the Senate.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Bailes	Harris	McLain	Shelby
Branyon	Jones	Malone	Vacca
Cooper	King	Noonan	Weaver
Dozier	Lindsey	Owen	Wilder
Edington	Littleton	Pelham	Wilson
Fine			

—24

Nay: Mr. Carr

—1

Mr. Givhan offered the following amendment to the Bill, S. B. 134, as amended by the substitute, to-wit:

AMENDMENT TO SENATE BILL 134

Amend S. B. 134 by deleting all of Section 2 and renumbering the subsequent Sections.

Mr. McLain moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 16.

Yeas:

Messrs.:	Dominick	Lindsey	Malone
Bailes	Harris	Lybrand	Noonan
Clark	Jones	McLain	Pierce
Cooper			

—12

Nays:

Messrs.:	Fine	Hawkins	Shelby
Branyon	Foshee	King	Vacca
Carr	Gilmore	Littleton	Wilder
Dozier	Givhan	Owen	Wilson
Edington			

—16

And said amendment to the Bill, S. B. 134, was then adopted by the Senate.

Yeas 20; Nays 9.

Yeas:

Messrs.:	Fine	Hawkins	Noonan	
Branyon	Foshee	Jones	Owen	
Carr	Gilmore	King	Vacca	
Cooper	Givhan	Littleton	Wilder	
Dozier	Hammond	Lybrand	Wilson	
Edington				—20

Nays:

Messrs.:	Dominick	McLain	Pierce	
Bailes	Harris	Malone	Shelby	
Clark	Lindsey			—9

And said Bill, S. B. 134, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Carr	Givhan	Littleton	Pierce	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—29

Nay: Mr. Branyon —1

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Fine, further consideration of the Bill, S. B. 204, was postponed until the Nineteenth Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 517, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 517, with a suggested executive amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

July 15, 1971

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 517, without my approval and with suggested executive amendments.

It is suggested that Section 6 of House Bill No. 517 be amended to add a paragraph (3) to subsection B of section 214 to read as follows:

"(3) Provided further he shall not be disqualified if he left his employment and immediately returned to work with his regular employer or to employment in which he had prior existing statutory or contractual seniority or recall rights. When this exception is applied, wages paid for that period of employment immediately preceding the separation to which the exception is applied which have not been heretofore determined to be benefit wages, shall not be determined to be employer's or employee's benefit wages for the purpose of the experience rating provisions of section 204 of this title."

It is further suggested that Section 8 of House Bill No. 517 be amended to change the language of subsection D of section 214 to read as follows:

"§. 214. D. For the week in which he has become unemployed because a license, certificate, permit, bond or surety which is necessary for the performance of such employment and which he is responsible to supply has been revoked, suspended, or otherwise become lost to him for a cause other than one which would fall within the meaning of subsection 214 C but one which was within his power to control, guard against or prevent, and for each week thereafter until (1) said license, certificate, permit, bond or surety has been restored to him and he has reapplied to his employer for employment, or (2) he has reentered insured employment or employment of the nature described in paragraph (5) (6) (7) (8) (9) (10) or (18) of subsection K of section 186 of this title, whichever is the earlier."

It is further suggested that Section 11 of House Bill No. 517 be amended to change the language of subsection M of section 214 to read as follows:

"§ 214 M. Notwithstanding any other provision of this title no benefits based on service in an instructional, research, or principal administrative capacity for an institution of education, except an institution of higher education to which the provisions of subsection B of section 205 apply, shall be payable for any week commencing during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave, to any individual who has a contract or contracts to perform services in any such capacity for any institution or institutions of education for both such academic years or both such terms."

The adoption of the suggested amendments will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 517, by a vote of Yeas 91, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 97, Nays 0, which was a majority of the whole number elected to the House. And said bill, H. 517, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Malone, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 517, the title of which and said Executive Amendment, are set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Givhan	Lybrand	Vacca
Clark	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Dozier			

—24

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 517, as thus amended by the Executive Amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	Lybrand	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier			

—28

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 96. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT His Excellency, The Honorable George C. Wallace, Governor of the State of Alabama, be and is hereby cordially invited to address a Joint Session of the two Houses of the Legislature in the Hall of the House of Representatives at 7:30 P. M. on July 22, 1971, and to present at that time his budget message for the State of Alabama for the next biennium.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 96, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 120. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Vacca
Clark	Givhan	Littleton	Wilder
Dominick	Harris	Lybrand	Wilson
Dozier	Hawkins	Noonan	

—26

Nay: Mr. Cooper

—1

The Bill:

S. 214. To amend Sections 8, 14, 26 and 36 (1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

was taken up.

Mr. Bailes offered the following amendment to the Bill, S. B. 214, to-wit:

AMENDMENT TO S. B. 214

Add the following sentence to Section 2: "The provisions of this act shall not apply to counties having a population of over 600,000 according to the last federal decennial census".

Mr. Clark moved that said amendment be laid on the table, which motion was lost.

Yeas 10; Nays 13.

Yeas:

Messrs.:	Lybrand	Owen	Weaver	
Clark	Malone	Pelham	Wilson	
Harris	Noonan	Shelby		—10

Nays:

Messrs.:	Dominick	Gilmore	King	
Bailes	Dozier	Hawkins	Pierce	
Carr	Edington	Jones	Wilder	
Cooper	Foshee			—13

And said amendment to the Bill, S. B. 214, was then adopted by the Senate.

Yeas 18; Nays 4.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Shelby	
Carr	Foshee	King	Vacca	
Cooper	Gilmore	Lybrand	Wilder	
Dominick	Harris	Noonan		—18

Nays:

Messrs.:				
Clark	Owen	Pelham	Weaver	—4

Mr. Cooper offered the following amendment to the Bill, S. B. 214, as amended, to-wit:

AMENDMENT TO S. B. 214

Amend S. B. 214 by adding the following sentence after the last sentence in Section 2: "The provisions of this act shall not apply to counties having a population of not less than 16,275 nor more than 16,400 according to the last federal decennial census."

Mr. Lybrand moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Fine	Malone	Shelby	
Branyon	Foshee	Noonan	Wilder	
Clark	Lybrand	Pelham	Wilson	
Edington				—12

Nays:

Messrs.:	Dominick	Hammond	King	
Bailes	Dozier	Harris	Owen	
Carr	Gilmore	Hawkins	Pierce	
Cooper	Givhan	Jones	Weaver	—15

And said amendment to the Bill, S. B. 214, as amended, was then adopted by the Senate.

Yeas 14; Nays 4.

Yeas:

Messrs.:	Cooper	Jones	Noonan	
Bailes	Dozier	King	Owen	
Carr	Hammond	Lybrand	Pierce	
Clark	Hawkins	Malone		—14

Nays:

Messrs.:				
Branyon	Fine	Pelham	Wilder	—4

Mr. Clark offered the following amendment to the Bill, S. B. 214, as amended, to-wit:

AMENDMENT TO S. B. 214, AS AMENDED

Amend S. B. 214, as amended, by striking therefrom Subsections 14 and 26 of Section 1 in their entirety.

Which was adopted.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Dozier	Harris	Noonan	
Bailes	Edington	Hawkins	Owen	
Branyon	Fine	Jones	Pierce	
Carr	Foshee	King	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cooper	Hammond	Malone	Wilder	—24
Dominick				

<i>Nay:</i>	Mr. Pelham	—1
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On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bailes amendment to the Bill, S. B. 214, was adopted.

Mr. Bailes then moved that said amendment be indefinitely postponed, which motion was adopted.

On motion of Mr. Cooper, the Senate reconsidered the vote by which the Cooper amendment to the Bill, S. B. 214, was adopted.

Mr. Cooper then moved that said amendment be indefinitely postponed, which motion was adopted.

And said Bill, S. B. 214, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pelham
Bailes	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cooper	Hammond	Malone	Weaver
Dominick	Harris	Noonan	Wilder
Dozier	Hawkins	Owen	Wilson

—27

Nays:

—0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Clark, further consideration of the Bill, S. B. 252, was postponed until the Twentieth Legislative Day.

ADJOURNMENT

At 4:37 P. M., on motion of Mr. Malone, the Senate adjourned until Tuesday, July 20, 1971, at 2 o'clock P. M.

EIGHTEENTH LEGISLATIVE DAY

TUESDAY, JULY 20, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Amos S. Cresswell, Methodist Minister, Cheadle Hulm, Cheadle Cheshire, England.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 731. Relating to the provisions of clerks, equipment and supplies for the Probate Judge, Sheriff, Tax Assessor and Tax Collector in counties having a population of not less than 39,500 nor more than 41,750 according to the last federal census.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 732. To make an appropriation for the support and maintenance of Athens College, located at Athens, in Limestone County.

Committee on Finance and Taxation.

By Mr. Harris:

S. 733. To provide that certain cities classified according to population, may abate or reduce assessments made for public improvements.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 734. To propose an amendment to the Constitution of Alabama to abolish justices of the peace.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Harris:

S. 735. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Alabama in criminal and quasicriminal cases.

Committee on Judiciary.

By Mr. Harris:

S. 736. To repeal Code of Alabama 1940, Title 11, Sections 96 and 97, both of which relate to fees of justices of the peace.

Committee on Judiciary.

By Mr. Harris:

S. 737. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 738. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 739. To amend the Title and Section 1 of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 740. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 741. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the

use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 742. To authorize the issuance of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of a portion of the motor vehicle license taxes and registration fees, the gasoline excise tax of the state, the excise tax on distributors and storsers of motor fuels, the excise tax on gasoline and motor fuels used by common carriers, and the inspection fee on certain petroleum products, the proceeds from which bonds shall be used solely for the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state; to create a sinking fund for payment of said bonds; and to provide for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Fine:

S. 743. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of certain taxes on motor vehicles and motor fuels, the proceeds of which bonds shall be used only for the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state.

Committee on Commerce, Transportation
and Common Carriers.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Lybrand:

S. 744. To provide for the establishment of a voluntary solid waste service corporation to contract with the counties and/or cities to dispose of solid waste.

Committee on Judiciary.

By Mr. Lybrand:

S. 745. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

Committee on Judiciary.

By Mr. Lybrand:

S. 746. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investments by the State Insurance Fund.

Committee on Judiciary.

By Mr. Lybrand:

S. 747. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 748. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 749. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; providing for the distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 750. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the county courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 751. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 752. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 753. To provide an assistant coroner for counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last federal census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 754. To apply in all counties of this state having a population of not less than 110,000 inhabitants and not more than 150,000 according to the latest or any subsequent Federal Decennial Census and to exempt such counties from the operation of Act No. 794 of the regular session of the Legislature of Alabama of 1965.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 755. To apply in all those counties in Alabama having a population of not less than 110,000 nor more than 150,000 inhabitants according to the most recent or any subsequent federal decennial census and to exempt certain individuals and firms from the provisions of Act No. 79 of the Extraordinary Session of 1961, approved September 15, 1961 and other provisions.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 756. To fix the compensation of the sheriffs of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent Federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 757. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 758. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 759. To apply in all those counties in Alabama having a population of not less than 110,000 and not more than 150,000 inhabitants, according to the latest or any subsequent Federal Decennial Census, and to provide for an appeal to the Circuit Court of such counties by any Attorney at Law convicted in any Recorder's Court, or other Municipal Court, of contempt of such Court, and to provide that no appeal bond in such cases shall be in an amount in excess of \$300.00 and to provide for the approval of any such appeal bond by any Circuit Judge, Probate Judge, or Justice of the Peace in any such county; and to provide for the suspension of any punishment meted out by any such Recorder, or other Municipal Judge, pending the outcome of such appeal and to provide for a trial by jury of such contempt charge, when any such appeal is made, and to repeal all laws or parts of laws in conflict with this act.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 760. Relating to counties having populations of not less than 110,000 nor more than 150,000, providing for meetings of the board of registrars in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 761. Relating to all counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 762. Relating to counties having populations of not less than 110,000 nor more than 150,000; regulating the appointment of special constables in such counties in certain cases; repealing conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 763. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing for regulation of persons engaged in the business of selling money orders and other like instruments in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 764. To apply in all those counties in Alabama having not less than 110,000 population and not more than 150,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 765. To apply only in counties having populations of not less than 110,000 nor more than 150,000, providing for establishment, operation, and financing of educational survey committees in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 766. To apply in all counties of this state having a population of not less than 110,000 nor more than 150,000 according to the 1970 or any subsequent decennial census and providing for the bailiff to serve the Inferior Courts of such counties and to provide for the selection of such bailiff, to provide for the payment of the salary of such bailiff, and to provide that while such bailiff is not busy with such Inferior Court for his duties to be to aid the sheriff in serving civil papers in all such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 767. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating

such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 768. To regulate further membership on free public library boards in all counties in this State having populations of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for increasing the size of such boards and prescribing the manner of appointment of members thereof.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 769. Relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 770. Relating to municipalities having a population of not less than 60,000 nor more than 80,000, according to the 1970 or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 771. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 110,000 people and not more than 150,000 people, according to the last and any subsequent decennial Federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 772. To apply only in counties in the state having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 773. To authorize the governing bodies of all counties having populations of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 774. Relating to the office of commissioner of licenses in counties having populations of not less than 110,000 nor more than 150,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 775. Relating to counties having populations of not less than 110,000 nor more than 150,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 776. Providing further for the operation of the county board of equalization of each county having a population of not less than 110,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board and providing for the employment of clerks and other employees of the board.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 777. Relating to counties having a population of not less than 110,000 nor more than 150,000; fixing the compensation of certain officers in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 778. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 779. To apply only in counties having populations of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 780. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the inferior courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 781. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing expense allowances for certain officers in such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 782. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 783. To fix the supplemental salaries of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 110,000 people and is less than 150,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 784. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 785. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 786. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of at least seven hundred fifty thousand dollars, whose principal place of business is situated in counties having a population according to the 1970 or any subsequent decennial census of the United States of not less than 110,000 nor more than 150,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which the principal place of business of said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 787. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 788. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 789. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 790. Providing that in any county having a population of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 791. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 792. Relating to counties having populations of not less than 110,000 nor more than 150,000; to provide an additional alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 793. Relating to all cities in the State of Alabama having a population of not less than 60,000 people nor more than 80,000 people, according to the last or any succeeding regular federal decennial census; providing for a special referendum in any such city for the purpose of giving the qualified electors of the city an opportunity to express themselves for or against the participation by such city in an Urban Renewal Project; authorizing an expenditure from general funds of such municipality to pay the cost of such election; and authorizing expenditures from the general fund of such city to pay the cost of any election heretofore held prior to the adoption of this act; and approving prior expenditures for such elections which have been heretofore held.

Committee on Local Legislation No. 1.

By Messrs. Cook, Hawkins, Vacca, King and Bailes:

S. 794. To provide for arbitration in order to settle disputes between policemen and their public employers in any city having a population of 300,000 or more, specifically authorizing collective bargaining between policemen and their public employers, and requiring compliance with collective bargaining agreements and findings of arbitrators.

Committee on Local Legislation No. 2.

By Messrs. King, Dominick, Vacca, Bailes, Hawkins, Cook and Gilmore:

S. 795. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

Committee on Local Legislation No. 2.

By Mr. Wilder:

S. 796. To amend Section 2(d), (g), 17(a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542, Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

Committee on Judiciary.

By Mr. Wilder:

S. 797. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act No. 542, Regular Session, 1959 (Acts 1959, Page 1318, as amended).

Committee on Judiciary.

By Mr. Carr:

S. 798. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Gilmore, Branyon, Cook, Dozier, Foshee, Fine, Pierce and Hawkins:

S. 799. Relating to consumer protection: To prohibit certain types of sales practices and schemes for the benefit and protection of purchasers or consumers; providing certain consumer protection rights and requirements; to provide for the administration and enforcement of this Act and other consumer protection laws; and, to provide penalties for violations of this Act.

Committee on Commerce, Transportation
and Common Carriers.

By Messrs. Gilmore, Branyon, Cook, Dozier, Foshee, Fine, Pierce and Hawkins:

S. 800. To create an Alabama Consumers Council and to provide for the membership thereof together with its powers, duties and functions and to provide a method of appointment of its members; to create within the Department of Agriculture and Industries a Division of Consumer Services, and to prescribe the duties of said division; other provisions to afford certain services and protection to consumers; and to appropriate funds to carry out the provisions of this Act.

Committee on Finance and Taxation.

By Messrs. Lindsey and Givhan:

S. 801. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to pre-

scribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

Committee on Judiciary.

By Messrs. Lindsey, Edington, Wilder and Littleton:

S. 802. To transfer certain historic properties owned by the Conservation Department of the State of Alabama to the Alabama Historical Commission.

Committee on Conservation.

By Messrs. Cooper and Lindsey:

S. 803. To repeal Act No. 33, H. 44, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 83), entitled "An Act Relating to local funds for support of the public schools; requiring a prescribed minimum of local financial support for the public schools as an addition prerequisite to participation in the apportionment of the minimum program fund."

Committee on Judiciary

By Mr. Cooper:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Committee on Conservation.

By Mr. Cooper:

S. 805. To amend Section 2 (d), (g), 17 (a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542, Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

Committee on Judiciary.

By Mr. Cooper:

S. 806. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act No. 542, Regular Session, 1959 (Acts 1959, page 1318, as amended).

Committee on Judiciary.

By Mr. Cooper:

S. 807. To amend Title 22, Section 199, Code of Alabama 1940, to further provide for the care of patients; nonresident patients; reports as to patients; and charges for treatment in tuberculosis hospitals by establishing the number of subsidized beds for indigent tuberculosis patients and further providing for operation of clinics for treatment and control of tuberculosis.

Committee on Health.

By Mr. Cooper:

S. 808. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114, as amended by Section 1, Act No. 870, Acts of Alabama 1965, p. 1631, and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

Committee on Health.

By Mr. Cooper:

S. 809. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114, as amended by Section 1, Act No. 870, Acts of Alabama 1965, p. 1631, and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

Committee on Health.

By Mr. Cooper:

S. 810. To amend Section 2, Act 784, 1953 Acts of Alabama (p. 1069) entitled, "An Act to provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Sections 70, 71, 72, 74 and 77 of Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Committee on Conservation.

By Mr. Gilmore:

S. 811. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Committee on County Government.

By Mr. Foshee:

S. 812. To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA CRENSHAW COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Luverne in Crenshaw County are hereby altered, redefined, rearranged and extended so as to include within the corporate limits of the city, inclusive of the area now embraced within the corporate limits of the city, the following described property:

The West $\frac{1}{2}$ and the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section Twenty-seven.

All of Section Twenty-eight.

All of Section Twenty-nine except the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

All of Section Thirty-two.

All of Section Thirty-three.

The West $\frac{1}{2}$ and the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section Thirty-four.

All being in Township Nine North of the St. Stephens Base Line, Range Eighteen East of the St. Stephens Meridian.

And,

The West $\frac{1}{2}$ and the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section Three. All of Section Four.

All of Section Five.

The Northeast $\frac{1}{4}$ of Section Eight.

The Northwest $\frac{1}{4}$ of Section Nine.

All being in Township Eight North of the St. Stephens Base Line, Range Eighteen East of the St. Stephens Meridian.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA CRENSHAW COUNTY

Before the undersigned Notary Public personally came Alvin C. Bland, who being duly sworn says upon oath that he is Publisher of a

newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: A Bill to be Entitled an Act was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 23, 1971, June 30, 1971, July 7, 1971, July 14, 1971.

ALVIN BLAND.

Sworn and subscribed to before me this 16th day of July, 1971.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-74.

By Mr. Foshee:

S. 813. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA CRENSHAW COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Glenwood in Crenshaw County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within the corporate limits of the town, the following described property:

The South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section Eight.

The Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section Seventeen.

All being in Township Eight North of the St. Stephens Base Line. Range Nineteen East of the St. Stephens Meridian.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Alvin C. Bland, who being duly sworn says upon oath that he is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: A Bill to be Entitled an Act was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 23, 1971, June 30, 1971, July 7, 1971, July 14, 1971.

ALVIN BLAND.

Sworn and subscribed to before me this 16th day of July, 1971.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-74.

By Mr. Foshee:

S. 814. To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS
NOTICESTATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately:

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, is hereby amended to read as follows:

"Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

AFFIDAVIT
PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Alvin C. Bland, who being duly sworn says upon oath that he is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: A Bill to be Entitled an Act was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 16, 1971, June 23, 1971, June 30, 1971, July 7, 1971.

ALVIN C. BLAND.

Sworn and subscribed to before me this 19th day of July, 1971.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-74.

By Mr. Pierce:

S. 815. To protect wildlife exhibited for public purposes; to provide that the Director of Conservation may prescribe standards for the care and treatment of captive wildlife; to require persons exhibiting wildlife to secure a permit from the Department of Conservation and to pay a permit fee of twenty-five dollars (\$25.00) therefor; to provide punishment for the violation of the provisions of this Act or the standards established hereunder.

Committee on Conservation.

By Mr. Clark:

S. 816. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. When any officer of a municipality is a member of the board of directors of a corporation organized to operate a municipal water, sewer, gas, or electric system pursuant to the Act of June 29, 1951, in Barbour County he is entitled to compensation the same as the other directors of the corporation, the provisions of any other law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 817. Providing an expense allowance for the tax assessor of Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing an expense allowance for the tax assessor of Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission shall pay to the tax assessor from the general fund of the county an expense allowance of twenty-four hundred dollars, (\$2,400) per annum for the operation of his office.

Section 2. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 818. Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, or corporation desiring to operate a hunting or shooting preserve in Barbour County on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the director of conservation governing the operation of hunting preserves.

Section 2. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land, including water area, if any, and shall be restricted to not more than 1,000 contiguous acres including water, if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state director of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the director of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "LICENSED HUNTING PRESERVE," and such other words as the director of conservation may prescribe. No hunting preserve shall be located within one mile of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which the shooting of turkeys is authorized.

Section 3. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bob-white, quail, coturnix quail, pheasants, chucker partridge, and such other species of fowl as the director of conservation shall designate. A minimum stock of at least 1,000 bob-white quail, if bob-white quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 4. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve area shall first file a request with a local state game warden, or with the state department of conservation, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the department of conservation he shall have a permit issued to him to procure a license to operate such hunting preserve. Upon presentation to the judge of probate of the county in which the preserve is located of a permit from the department of conservation, dated not more than thirty days prior to its presentation, accompanied by the proper license fee prescribed in this section and an issuance fee of fifty cents, the judge of probate of any county to which this Act applies shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the director of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation.

Section 5. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture, kill or otherwise recover during the year no more than 80 percent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed or otherwise recovered on such preserve and the bag limits shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 6. Bob-white quail and coturnix quail shall be tagged with self-sealing tag prior to being released on the preserve. The operators

of hunting preserves shall cooperate in other requests which the director of conservation might make for scientific investigations. The Alabama Department of Conservation shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

Section 7. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be opened to inspection by any duly authorized representative of the state department of conservation at any reasonable time, and shall be the basis upon which the bag limits and hunting seasons in section 6 hereof shall be determined.

Section 8. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident hunting license or a non-resident trip hunting license.

Section 9. Duly authorized agents of the state department of conservation, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves; and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves either by the owner, guests, or patrons of such preserves shall be grounds for revocation of the hunting preserve license; and the director of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 10. Any person, firm, or corporation who operates a licensed hunting preserve in violation of any provision of this Act or a duly promulgated rule of the director of conservation relative to the operation thereof shall be guilty of a misdemeanor; and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 819. To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF BARBOUR**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission is authorized to regulate the minimum size of lot located or to be located in any subdivisions of land situated outside the corporate limits of any municipality in said county and is authorized to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in said county, including the power to require the filing and posting of a reasonable surety bond with such County Commission by the developers of such subdivisions to guarantee the actual construction and installation of such approved proposed public streets, public roads, and drainage structures before the sale or offering for sale of any lots from such subdivision to the public. The County Commission may require the developers of all proposed subdivisions of lands situated outside the corporate limits of any municipality in said county to submit the plat of such proposed subdivision to the County Commission of said county for approval before such plat is filed for record in the office of the judge of probate.

Section 2. If any such public street, public road or drainage structure is erected, constructed or maintained in violation of the provisions of this Act or any regulations made pursuant thereto, the county may institute appropriate action or proceedings to prevent such unlawful erection, construction or maintenance, or to require such erection, construction, or maintenance to conform to the regulations prescribed therefor.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 820. Providing further for the compensation and allowances of jurors in Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing further for the compensation and allowances of jurors in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Barbour County jurors shall be entitled to such per diem pay not exceeding twelve dollars for each day's service as the county commission may by resolution direct and five cents for each mile traveled in going to and returning from court, plus ferriage and toll, to be proved by the oath of the juror before the clerk of the court.

The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The pay and allowances of jurors as provided in this Act shall be for all jurors serving in all courts of the county in all kinds of cases.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 821. Providing an additional deputy circuit clerk for Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing an additional deputy circuit clerk for Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission shall authorize the circuit clerk to appoint a deputy clerk, in addition to the deputies now provided by law, whose salary shall be three thousand dollars (\$3,000) per annum and shall be paid by the county.

Section 2. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 822. Providing an expense allowance for the probate judge of Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing an expense allowance for the probate judge of Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission shall pay to the probate judge from the general fund of the county an expense allowance of twenty-four hundred dollars (\$2,400) per annum for the operation of his office. Such allowance shall be in addition to any other allowance or compensation provided by law.

Section 2. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of

general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 823. Relating to Barbour County; providing an additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; providing an additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Barbour County shall receive an expense allowance of \$1,500 per annum for the expenses incurred in performance of his ex officio duties as judge of the county court. The allowance herein provided shall be in addition to any other compensation or allowances payable to such judge, and shall be paid in equal monthly installments out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 824. Providing clerk hire allowances for probate judges of Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

A BILL
TO BE ENTITLED
AN ACT

Providing clerk hire allowances for probate judges of Barbour County.

Be It Enacted by the Legislature of Alabama:

Section. Relating to Barbour County: The judge of probate shall be entitled to an allowance of \$100 a month for the employment of a clerk at each courthouse with in the county, subject to approval of the County Commission. Such allowances shall be paid from the general funds of the county at the end of each month. The allowances provided for in this Act shall be in addition to all compensation, fees, commissions, percentages, and allowances heretofore provided the probate judge by law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 825. Providing an expense allowance for the tax collector of Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing an expense allowance for the tax collector of Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission shall pay to the tax collector from the general fund of the county an expense allowance of twenty-four hundred dollars (\$2,400) per annum for the operation of his office.

Section 2. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 826. Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The Barbour County Commission shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county to participate in programs and receive benefits and funds provided for and made available by and from the federal government under Public Law 88-452, known as the Economic Opportunity Act of 1964, as approved by Congress on August 20, 1964, when the county governing body, in its discretion, considers such action to be in the best interests of the county. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution or statutes of the State of Alabama.

Section 2. The provisions of this Act shall be retroactive to June 1, 1966; and any appropriation of funds or designation of property made on or since such date by the county commission as herein authorized is hereby declared valid and effective.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 22, June 29, and July 6, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 827. Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Barbour County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff.

Section 2. One dollar of each fee collected under Section 1 of this Act shall be paid into the county treasury and the remaining four dollars of each fee shall be deposited by the sheriff of Barbour County in any bank located in Barbour County, into a fund known as the sheriff's fund.

Section 3. The sheriff's fund provided for in section 2 of this Act shall be drawn upon by the sheriff of Barbour County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit.

Section 4. The establishment of the sheriff's fund as provided in this Act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 13, 1971.

SHERRY G. HARRISON,
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 828. To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; Providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor

of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628 is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 903, H. 1270 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 829. To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector

of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 902, H. 1269 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 830. To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect," (Acts of Alabama 1967, p. 907) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 348, S. 362 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 831. To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties," (Acts of Alabama 1967, p. 1181) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 486, H. 698 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 832. To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule

days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 485, H. 697 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 833. To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act apply-

ing only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)," (Acts of Alabama 1967, p. 97).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 63, H. 5 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 834. To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants

and and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000 and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 523, S. 354 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 835. To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less

than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and Providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 900, H. 1267 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 836. To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460.)

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 122, H. 359 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 837. To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate

judges of all such counties," (Acts of Alabama 1967, p. 419) is hereby expressly repealed.

This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 87, S. 208 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 838. To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decen-

nial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 901, H. 1268 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 839. To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal

water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 772, H. 1477 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 840. To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court." (Acts of Alabama 1965, p. 49).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court," (Acts of Alabama 1965, p. 49).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than

24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court." (Acts of Alabama 1965, p. 49) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 33, S. 106 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 841. To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624.)

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not

less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 525, S. 356 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 842. To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not

less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 13, S. 66 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 843. To repeal Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 12 S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 12, S. 65 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 844. To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having popu-

lations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BARBOUR COUNTY

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 83, S. 132 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Mr. Clark:

S. 845. To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164) is hereby expressly repealed.

Section 2. This Act shall take effect September 1, 1971.

AFFIDAVIT OF PUBLICATION**STATE OF ALABAMA
BARBOUR COUNTY**

Before Me, Milton Campbell a Notary Public in and for said County and State, personally appeared MRS. BERTIE G. PARISH, who being duly sworn, deposes and says on oath, that she is the Publisher of THE CLAYTON RECORD, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice Act No. 125, H. 175 was published in said newspaper 4 consecutive times. The same appearing in the issue dated June 24, July 1, 8, 15, 1971.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 16 day of July, 1971.

MILTON CAMPBELL.

By Messrs. Edington, Pelham and Noonan:

S. 846. To amend the Title and Section 1 of Act No. 193, H. 444, Regular Session 1943 (Acts 1943, p. 183), which relates to Judicial Notice of Ordinance of Cities which may now or hereafter have a population of One Hundred Seventy Five thousand or more people according to the last or any succeeding federal census.

Committee on Judiciary.

By Mr. Edington:

S. 847. To amend Title 51, Section 717 (1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Committee on Military.

By Mr. Edington:

S. 848. Relating to Public Health; requiring fluoridation of municipal water supplies; prescribing the powers and duties of the State Board of Health in relation thereto.

Committee on Municipal Government.

By Messrs. Register, Dozier and Clark:

S. 849. Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Boutwell, Doss, Weeks, McBride, Cherner, Dill, Wallace, Parker (H), Boles, Bowers, Gloor, Jones (E), Waggoner and Ellis:

H. 684. To authorize the tax assessor of any county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to make or to have made photographic reproductions of books, records, papers or other documents, all of which are herein called "documents", required to be maintained or kept by such tax assessor; and to authorize such tax assessor to dispose of any such documents so photographed after the expiration of two years from the receipt of the same; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself, and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs; to authorize such tax assessor to make copies of such documents and to furnish such copies to the public, together with his certificate as to the authenticity and correctness of the same, upon the payment to him of the fee therefor established by the governing body of the county; to authorize the governing body of the county to establish the fee or fees which the tax assessor shall charge for the aforesaid certified copy; to provide for the repeal of all laws in conflict with this Act; and to provide for the severability of the provisions of this Act in the event that any part is declared to be null or void; and to provide for the effective date of this Act.

Also:

By Messrs. Dill, Parker (H) and Falkenburg:

H. 736. To further amend Act No. 134 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 201), approved July 7, 1965, as heretofore amended, which Act authorized the Mayor of any city having a population of 300,000 or more, according to the last or any subsequent federal census, to employ for and in behalf of said city a chief administrative assistant to the Mayor to serve at the pleasure of the Mayor.

Also:

By Messrs. Timmons, Parker (H) and Waggoner:

H. 782. To amend Section 73, Title 29, Code of Alabama, 1940, prescribing the sites which are unlawful for the establishment of liquor stores and other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more.

Also:

By Messrs. Doss, Dill and Boutwell:

H. 795. To amend the title and Section 1 of Act No. 292 of the Regular Session of the Legislature of Alabama of 1955, approved August 26, 1955, (Ala. Acts, 1955, p. 685 and 686), which authorized any county having a population of 500,000 or more, according to the last or any subsequent federal census, to appropriate funds to any public corporation created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947, (Ala. Acts, 1947, p. 81 et seq.), so that the said title of said Act No. 292, as amended, will recite that the said Act authorizes any such county to improve, prepare, beautify and equip land owned by any such public corporation and so that Section 1 of said Act No. 292, as amended, will authorize any such county to improve, prepare, beautify and equip land owned by any such public corporation.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1017. To amend further Act No. 608, H. B. 700, Regular Session, 1951, an Act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), amending such Act relative to retirement benefits, and specifically amending Sections 16, 17 and 18 and repealing Section 19 of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 608, H. B. 700, Regular Session 1951 an Act establishing a retirement fund and pension system for policemen and fireman of the City of Anniston (Acts 1950-1951, v. 2. p. 1045), amending such Act relative to retirement benefits, and specifically amending Sections 16, 17, and 18 and repealing Section 19 of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16, as amended, of Act. No. 608, H. B. 700, Regular Session 1951, an Act establishing a retirement fund and pension system for the benefit of policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), is hereby further amended so as to read as follows:

"Section 16. Any member of the fire or police department who has been in service for as long as twenty years shall be retired from service in such department, without medical examination or disability, upon his making application to the Board therefor. Upon such retirement, the Board shall direct the payments to such retired member, monthly, from the fund, the amount hereinafter provided for his particular position, office, salary or class of work:

"To the chief of police and to the chief of the fire department, by whatever title these two offices are designated,—

"For at least 20 but less than 25 years of service, not less than \$275 nor as much as \$300 per month,

"For at least 25 but less than 30 years of service, not less than \$300 nor as much as \$325 per month,

"For 30 or more years of service, not less than \$325 per month;

"To the assistant chief of police and to the assistant chief of the fire department, and to the captain of detectives.

"For at least 20 but less than 25 years of service, not less than \$250 nor as much as \$275 per month,

"For at least 25 but less than 30 years of service, not less than \$275 nor as much as \$300 per month,

"For 30 or more years of service, not less than \$300 per month;

"To captains,—

"For at least 20 but less than 25 years of service, not less than \$240 nor as much as \$265 per month

"For at least 25 but less than 30 years of service, not less than \$265 nor as much as \$290 per month,

"For 30 or more years of service, not less than \$290 per month;

"To lieutenants,—

"For at least 20 but less than 25 years of service, not less than \$230 nor as much as \$255 per month,

"For at least 25 but less than 30 years of service, not less than \$255 nor as much as \$280 per month,

"For 30 or more years of service, not less than \$280 per month;

"To sergeants and to detectives,—

"For at least 20 but less than 25 years of service, not less than \$220 nor as much as \$245 per month,

"For at least 25 but less than 30 years of service, not less than \$245 nor as much as \$270 per month,

"For 30 or more years of service, not less than \$270 per month;

"To patrolmen and to firemen,—

"For at least 20 but less than 25 years of service, not less than \$210 nor as much as \$235 per month

"For at least 25 but less than 30 years of service, not less than \$235 nor as much as \$260 per month,

"For 30 or more years of service, not less than \$260 per month."

Section 2. Section 17 of said Act. No. 608 of 1951, is hereby amended so as to read as follows:

"Section 17. The Board shall retire from service in the police or fire department any member thereof upon his attaining the age of sixty

years; provided, however, that any member of the fire or police department on October 1, 1941, the effective date of this Act, who was over the age of forty years at the time he became a member shall not be retired by the Board prior to the completion by him of twenty years of service. The member retired from service as hereinabove provided shall receive from the fund maximum retirement benefits provided for his particular position, office, salary or class of work."

Section 3. Section 18 of said Act No. 608 of 1951, as amended, is amended further so as to read as follows:

"Section 18. If any member of the police or fire department becomes physically or mentally permanently disabled for service as a result of injuries received in the line of duty, regardless of the length of the period of his service, or if any such member, who has at least 20 years of service, becomes physically or mentally disabled for service so as to render his retirement from such service necessary or if such a member is required to retire because of having reached sixty years of age, the Board shall retire such member from service. The Board shall also order the payment to him of the maximum retirement benefits as provided in this Act for his particular position, office, salary or class of work.

"If any member having ten or more years of service becomes disabled for service from any cause, except injury received in line of duty, the Board may retire such member and order payment of benefits to him on the following basis: For not less than 10 but less than 15 years of service not less than \$75 but less than \$100 per month; for not less than 15 but less than 20 years of service not less than \$100 nor more than \$125 per month; for 20 years or more of service, the benefits provided in Section 16 of this Act, as amended."

Section 4. Section 19 of said Act. No. 608 of 1951 is hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SPECIAL NOTICE RE LOCAL LAWS

No special, private, or local law can be passed, except in reference to fixing the time of holding courts, unless notice of the intention to apply therefor shall have been published, without cost to the State, in the county or counties where the matter or thing to be affected may be situated. The notice must state the substance of the proposed law and be published at least once a week for four consecutive weeks in some newspaper published in such county or counties.

Proof by affidavit that the notice has been given must be exhibited to the House of Representatives and the Senate, and the proof must be spread upon the journals.

The joint rules of the two Houses provide that no local or special bill may be introduced unless the introducer discloses at the time of introduction the fact that the required notice was given, and submits ONE ORIGINAL AND TWO EXACT COPIES OF THE PROOF OF ITS PUBLICATION.

This county or municipality affected by a local law introduced by a legislator must pay for advertising the notice, if the notice was signed by the legislator even though the bill is not passed.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times here-in mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 13, and May 17, all in the year 1971.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me May 26, 1971.

LOLA J. BRIGHT,
Notary Public.

Also:

By Messrs. Hill and Flippo:

H. 1050. Relating to the 11th Judicial Circuit, to extend the powers, authority and duties of the district attorney of such judicial circuit so as to empower, authorize, and require that such district attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing such judicial circuit, creating the office of deputy district attorney for such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of three such deputy district attorneys and for their compensation, and further providing that such compensation shall be paid out of the general fund of the county.

Also:

By Messrs. Flippo and Hill:

H. 1051. To repeal Act No. 326, H. 775, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 809), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit."

Also:

By Messrs. Flippo and Hill:

H. 1052. To repeal Act No. 134, H. 192, approved, May 9, 1963, Second Special Session 1963 (Acts 1963, p. 320), entitled, "An Act To authorize the court of county commissioners, board of revenue, or like governing body of certain counties, classified on a population basis to prescribe the times when county offices may be closed."

Also:

By Messrs. Flippo and Hill:

H. 1053. To repeal Act No. 70, H. 110, approved, April 23, 1963, Second Special Session 1963 (Acts 1963, p. 238), entitled, "An Act Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

Also:

By Messrs. Flippo and Hill:

H. 1054. To repeal Act No. 112, S. 3, approved September 15, 1961, Special Session 1961 (Acts 1961, p. 2037), entitled, "An Act Relating to every judicial circuit composed of only one county having two circuit judges and a population of not less than sixty thousand five hundred and not more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; extending the powers, authority and duties of the circuit solicitor of any such judicial circuit so as to empower, authorize and require that such circuit solicitor supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy circuit solicitor for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy circuit solicitor and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit."

Also:

By Messrs. Flippo and Hill:

H. 1055. To repeal Act No. 143, H. 147, approved, May 14, 1969, First Special Session 1969 (Acts 1969, p. 207), entitled, "An Act Relating to all counties in this state having populations, according to the most recent federal decennial census, of not less than 61,000 nor more than 65,000; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 684, 736, 782 and 795. To the Committee on Local Legislation No. 2.

H. B.'s 1017, 1050, 1051, 1052, 1053, 1054 and 1055. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Baker and Chesnut:

H. 53. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Also:

By Messrs. Gafford, Boles and Jones (E):

H. 76. To allow persons who receive articles for services, to dispose of such articles when they are not claimed for certain periods of time, without being liable to their owners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 53 and 76 To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Turnham, Collins, Pruitt, O'Daniel, Waggoner, Ellis, Williams and McDonald:

H. 675. Defining abandoned motor vehicles, authorizing peace officers to remove abandoned motor vehicles from public streets, roads, highways and other public property; to provide a method for sale of abandoned motor vehicles; to provide for the distribution of the proceeds of the sale of abandoned motor vehicles and for related purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 675. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hale:

H. 725. To regulate further license plates or tags for motor vehicles, directing the commissioner of revenue to design license plates or tags, insofar as practicable, so as to adapt to Alabama the registration

(license plate) numbering system developed by the American Association of Motor Vehicle Administrators.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 725. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 1080. Relating to counties having a population of not less than 22,575 nor more than 23,800, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the Chief Engineer of the Division of Public Roads payable from the general funds of the county.

Also:

By Mr. Stubbs:

H. 1120. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Pelham, Alabama and so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA SHELBY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the Town of Pelham, Ala and so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the limits of the Town of Pelham Ala., so as to incorporate certain territory as described herein, to-wit:

Begin at the NE Corner of Section 12, Township 20 South, Range 3 West, thence run Southerly along the Eastern Boundary of said Section 12, Township 20 South, Range 3 West to the NE Corner of Section 13, Township 20 South, Range 3 West, thence run Easterly

along the North Boundary of Section 18, Township 20 South, Range 2 West to Corner of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 18, Township 20 South, Range 2 West, thence run Southerly along the East Boundary of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 18, Township 20, South, Range 2 West to the NE Corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, Township 20 South, Range 2 West, thence run Easterly along the North Boundary of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, Township 20 South, Range 2 West to the NE Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 20 South, Range 2 West, thence run Southerly along the East Boundary of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 20 South, Range 2 West to a point of intersection of the North Boundary of Section 19, Township 20 South, Range 2 West and Continue Southerly along the East Boundary of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 19, Township 20 South, Range 2 West to the NE Corner of the NW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West, continue Southerly to the SE Corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West, thence run Westerly along the North Boundary of the S $\frac{1}{2}$ of Section 30, Township 20 South, Range 2 West to the NE Corner of the SE $\frac{1}{4}$ of Section 25, Township 20, South, Range 3 West, Continue Westerly along the North Boundary of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West to the NW Corner of the SE $\frac{1}{4}$, section 25, Township 20 South, Range 3 West, thence run Southerly to the SW Corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West, thence run Westerly along the North Boundary of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ Section 25, Township 20 South, Range 3 West to a point of intersection of the East Boundary of Section 26, Township 20 South, Range 3 West, thence run Northerly along the East Boundary of Section 26, Township 20 South, Range 3 West, to the NE Corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West, thence run Westerly along the North Boundary of the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West to the NE Corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West, thence run Northerly along the East Boundary of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West, continue Northerly along the West Boundary of the East Half of the NW $\frac{1}{4}$ of Section 26, Township 20 South, Range 3 West, to the point of intersection of the SE Corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, Township 20 South Range 3 West, continue Northerly along the West Boundary of the East $\frac{1}{2}$ of the West $\frac{1}{2}$ of Section 23, Township 20 South, Range 3 West to the Corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 20 South, Range 3 West, continue Northerly along the West Boundary of the East $\frac{1}{2}$ of the West $\frac{1}{2}$ of Section 14, Township 20 South, Range 3 West to the SE Corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, township 20 South, Range 3 West thence run Easterly along the North Boundary of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14, Township 20 South, Range 3 West to the NE Corner of NW $\frac{1}{4}$ of Section 14, Township 20 South, Range 3 West continue Easterly along the North Boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 20 South, Range 3 West to the SE Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Township 20 South, Range 3, West thence run Northerly along the West Boundary of the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 11, Township 20 South, Range 3 West to the NE Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 20 South, Range 3 West thence run Easterly along the North Boundary of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 20 South, Range 3 West to the NW Corner of Section 12, Township 20 South, Range 3 West, continue Easterly along the North Boundary of the NW $\frac{1}{4}$ of Section 12, Township 20 South, Range 3 West to the SW Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 1, Township 20 South, Range 3 West thence run Northerly along the West Boundary of the East $\frac{1}{2}$ of Section 1, Township 20 South, Range 3 West to the NW Corner of the SW $\frac{1}{4}$

of the NW¼ of the NE¼ of Section 1, Township 20 South, Range 3 West thence run Easterly along the North Boundary of the South ½ of the North Half of the NE¼ of Section 1, Township 20 South, Range 3 West to the NW Corner of the SW¼ of the NW¼ of the NW¼ of Section 6, Township 20 South, Range 2 West Continue Easterly along the North Boundary to the South ½ of the North ½ of the NW¼ of Section 6, Township 20 South, Range 2 West to the NE Corner of the SE¼ of the NE¼ of the NW¼ of Section 6, Township 20 South, Range 2 West thence run Southerly along the East Boundary of the West ½ of Section 6, Township 20 South, Range 2 West to the SE Corner of the SE¼ of the SW¼ of Section 6, Township 20 South, Range 2 West thence run Westerly along the South Boundary of the SW¼ of Section 6, Township 20 South, Range 2 West to the point of beginning.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Pelham, voting in a referendum election to be held on a day designated by the probate judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Shelby County, and the election shall be held, conducted in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act to be introduced in a Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Pelham in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "no" shall be written or printed on his ballot. The Town of Pelham shall pay all costs and expences incident to the election.

If a majority of the votes cast in the election are "yes" the provisions of this Act shall become operative immediately. If the majority are "no" this Act shall have no further effect.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: May 20, 27, June 3, 10, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 10th day of June 1971.

CONRAD M. FOWLER,
Judge of Probate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1080 and 1120. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mrs. Wynot:

H. 318. To make a supplemental appropriation to the State Tenure Commission for the fiscal year ending September 30, 1971.

Also:

By Messrs. Harris, Jones (F) and Taylor:

H. 267. To make a supplemental appropriation to the Board for Registration of Architects for the fiscal year ending September 30, 1971.

Also:

By Mr. Jones (F):

H. 262. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

Also:

By Mr. Merrill:

H. 668. To amend Sections 1 and 3 of Act No. 917, H. 1307, Regular Session 1969, an act authorizing all incorporated cities and towns within the State to provide by ordinance for the levy and assessment of sales taxes, parallel to the state levy as levied by Act No. 100, H. 94, Second Special Session 1959, as amended, and for the levy and assessment of use taxes, parallel to the state levy as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, so as to provide further for exemptions to the provisions of said act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 318 and 267. To the Committee on Finance and Taxation.

H. B. 262. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 668. To the Committee on Municipal Government.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Drake:

H. 38. To amend Section 35 of Title 8 of the Code of Alabama of 1940 so as to increase the amount of the fine for hunting without a license.

Also:

By Mr. Jones (F):

H. 174. To provide for the issuance of a permanent combined hunting and fishing license for any resident of this state who is at least sixty-five years of age; prescribing fees for such licenses and for issuance; providing for the use of revenue from the sale of such licenses; repealing conflicting laws and specifically repealing Act. No. 546, S. 537, Regular Session 1965, and the conflicting provisions of Section 38, Title 8, Code of Alabama 1940, as amended.

Also:

By Messrs. Hardin and Lyons:

H. 505. To amend Sections 1 and 2 of Act No. 11, H. 3, Special Session 1970 (Acts of 1969-70, p. 2612) entitled "An Act to levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act."

Also:

By Messrs. Gafford and Cherner:

H. 143. To regulate the rate of compensation by manufacturers of motor vehicles for warranty work performed by said manufacturers' dealers or representatives; and to provide penalties for violations.

Also:

By Messrs. Drake, St. John and McDonald:

H. 45. To amend Title 2, Section 660, Code of Alabama 1940, as last amended, to increase the number of farmer members on the State Soil and Water Conservation Committee from 3 to 6 and to provide that no more than 1 farmer member may be appointed from each of the six U. S. Department of Agriculture soil conservation areas of the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 38 and 174. To the Committee on Conservation.

H. B.'s 505, 143 and 45. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grainger:

H. 446. To amend Act No. 281 adopted at the 1969 Regular Session of the Legislature of Alabama relating to the promotion of safe transportation of pupils to and from schools and in school related activities; to directing the state board of education to prescribe certain rules and regulations designed to promote this purpose; to the provision of school transportation managers or supervisors; to prescribing certain equipment for school buses; to the provision for safety inspection of school buses; to the provision for special training and licensing of school bus drivers; and to the prescribing of penalties.

Also:

By Messrs. Stokes, Wood, Perloff, Roberts and Nettles:

H. 501. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to eighteen persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

Also:

By Messrs. Lang, Hobbie, Carter, Grey (D), Manley, Naramore, Reid (R), Easters, Mims and Coshatt:

H. 60. Relating to the furnishing of operating records by the director of public safety and the cost thereof, amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended.

Also:

By Messrs. Lang, Perloff, Hobbie, Carter, Grey (D), Naramore, Reid (R), Easters, Mims and Coshatt:

H. 61. To prescribe the fee to be allowed the Department of Public Safety for the furnishing of copies of certain records and reports by the Director of Public Safety.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 446. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 501. To the Committee on Judiciary.

H. B.'s 60 and 61. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Hale, Hearn, King and Grainger:

H. 651. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Also:

By Messrs. Taylor, Jones (F), Straiton, Headley, Smith (P), Hobbie, Stubbs and Drake:

H. 435. To amend Code of Alabama 1940, Title 17, Section 154 which prescribes the composition of the ballot, by listing the order in which the candidates are shown.

Also:

By Messrs. Harris, Taylor and Jones (F):

H. 265. To authorize the Alabama Corrections Institution Finance Authority to continue to lease a portion of the Kilby property and to give certain improvements thereon to the Environmental Protection Agency of the United States of America for the purpose of maintaining and operating an environmental laboratory.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 651 and 265. To the Committee on Health.

H. B. 435. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Hale, Hearn, King and Grainger:

H. 652. To provide that it shall be a criminal offense to present a forged or counterfeit drivers license and to provide the punishment for such offense.

Also:

By Messrs. Stokes, Wood and Downing:

H. 727. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

Also:

By Messrs. Ellis, Crowe, Naramore, Cauthen, Owens, Collins and Bank:

H. 755. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

Also:

By Messrs. Gafford, Boles, Jones (E) and Parker (H):

H. 77. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Also:

By Mr. Hill:

H. 350. Relating to the registration of judgments and decrees; amending Code of Alabama, Title 7, Section 584.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 652, 727, 77 and 350. To the Committee on Judiciary.

H. B. 755. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Flippo and Hill:

H. 1056. To repeal Act No. 357, H. 456, approved, August 10, 1965, Regular Session 1965 (Acts 1965, p. 495), entitled, "An Act Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution by city boards of education in such counties for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

Also:

By Messrs. Flippo and Hill:

H. 1057. To repeal Act No. 717, H. 1220, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1323), entitled, "An Act Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties

to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity."

Also:

By Messrs. Flippo and Hill:

H. 1058. To repeal Act No. 113, S. 4, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2039), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit."

Also:

By Messrs. Hill and Flippo:

H. 1059. To repeal Act No. 206, S. 10, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2184), entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 60,500 nor more than 65,000, according to the last or any subsequent federal decennial census, to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties."

Also:

By Messrs. Hill and Flippo:

H. 1060. To repeal Act No. 325, H. 774, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 808), entitled, "An Act To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census, to be paid out of the county treasury of such counties."

Also:

By Messrs. Hill and Flippo:

H. 1061. To repeal Act No. 583, H. 508, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1080), entitled, "An Act To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized."

Also:

By Messrs. Hill and Flippo:

H. 1062. To repeal Act No. 100, H. 108, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 134), entitled, "An Act To authorize

and provide for branch banks in all counties having populations of not less than 61,000 nor more than 65,000 according to the most recent federal decennial census, and to repeal conflicting laws."

Also:

By Messrs. Flippo and Hill:

H. 1063. To repeal Act No. 201, S. 1, approved July 22, 1969, Regular Session 1969 (Acts 1969, p. 521), entitled, "An Act To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor."

Also:

By Messrs. Flippo and Hill:

H. 1064. To repeal Act No. 532, S. 516, approved, August 20, 1965, Regular Session 1965 (Acts 1965, p. 785), entitled, "An Act Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

Also:

By Messrs. Hill and Flippo:

H. 1065. To repeal Act No. 595, S. 727, approved, August 29, 1969, Regular Session 1969 (Acts 1969, p. 1082), entitled, "An Act To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary."

Also:

By Messrs. Hill and Flippo:

H. 1066. To repeal Act No. 582, H. 530, approved, September 8, 1967, Regular Session 1967 (Acts 1967, p. 1351), entitled, "An Act To provide for an appeal from any decision of a Civil Service Board in cities having a population of not more than 33,000 nor less than 31,500 according to the most recent federal decennial census."

Also:

By Messrs. Hill and Flippo:

H. 1067. To repeal Act No. 144, H. 192, approved March 29, 1965, First Special Session 1965 (Acts 1965, p. 195), entitled, "An Act Relating to cities having populations of not less than 31,500 nor more than 33,000; providing an expense allowance for members of the governing body of such cities."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066 and 1067. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Parker (T):

H. 317. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

Also:

By Messrs. McDonald, Drake, Casey, Hearn and Merrill:

H. 129. To amend Section 26 of Act No. 987 of the General Acts of Alabama 1969, now codified as Title 13, Section 111 (25), Code of Alabama 1940, recompiled 1958, to fix the compensation of the clerk of the Court of Criminal Appeals, to fix the compensation of the assistant clerk of the Court of Criminal Appeals.

Also:

By Mr. Pruitt:

H. 550. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

By Mr. Pruitt:

H. 551. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

By Messrs. Parker (H), Dill, Timmons, Cherner, Wallace, Waldrop, Naramore, Gloor, Stubbs, Wynot, Doss, Boutwell, Adwell, Bowers, Weeks and Flippo:

H. 368. To amend Section 12(2), Title 51, Code of Alabama 1940, Recompiled 1958, relating to tax on non-profit associations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 317, 550 and 551. To the Committee on Finance and Taxation.

H. B. 129. To the Committee on Judiciary.

H. B. 368. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Straiton:

H. 399. Relating to the licensing of Polygraph Examiners; creating a Polygraph Examiners Board; granting powers to the Polygraph Examiners Board; establishing minimum instrumentation requirements; providing for standards of qualifications of Polygraph Examiners; and providing for penalties for violation of provisions of this Act.

Also:

By Messrs. Cauthen, Parker (T), Cherner, Collins, Cross, Parker (H), Jackson, Kinsey, Benton, Coshatt, Smith (K), Lang, Cottingham, Turner, Callahan, Therrell, Hardin, Bassett, Slate, Snell, Adams, Taylor, Warren, Mims, Fite and Weeks:

H. 573. To amend Section 3 of Act No. 93, H-57, Acts of Alabama 1971, Special Session (effective May 11, 1971) by further providing for the expulsion of any pupil attending any public school in this state who assaults, threatens with bodily harm or unlawfully intimidates another pupil attending the same school.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 399. To the Committee on Judiciary.

H. B. 573. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Gloor, Fite, Manley, Smith (P), McCorquodale, Boles and McDonald:

H. 539. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member of Federal Deposit Insurance Corporation, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 539. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hardin:

H. 187. To amend further Code of Alabama 1940, Title 30, Section 21, as amended, so as to eliminate therefrom the provision authorizing the placing on the jury roll and in the jury box the names of persons who cannot read English, but are freeholders and householders and possess the other qualifications prescribed for jurors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 187. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wood and Carnes:

H. 257. To amend Section 2 of Act No. 93, 1967 Special Session of the Legislature, approved April 6, 1967, relating to the Office of the Attorney General.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 257. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 287. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 287, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 287

In Section 1. strike out the words and figures: "four hundred fifty dollars (\$450)," and insert in lieu thereof the words and figures three hundred fifty dollars (\$350).

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Hammond	Malone	Vacca
Cooper	Horne	O'Bannon	Weaver
Dozier	Jones	Owen	Wilson
Edington	King		

Nays:

—25

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 93. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 20, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 93, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wallace:

H. J. R. 97. WHEREAS the Wandering Wheels is an organization of fine young people who are dedicated to Christian living and who demonstrate the vitality of Christianity by touring the length and breadth of this country on bicycles, while discovering more about our wonderful country and participating in meaningful relations with churches, service clubs and individuals with whom they come in contact; and

WHEREAS we have with us today a group of nineteen young women and fifteen young men who are representative of the Wandering Wheels, which since its official recognition in 1964 has seen nearly 700 members travel 28,000 miles touching nearly every state in the Union; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most cordially welcome the Wandering Wheels to Alabama and extend to them a warm invitation to visit the many scenic areas and historic sites that abound in this State. We commend them for the high principles for which they stand and offer them all best wishes throughout their journey.

BE IT RESOLVED FURTHER That a copy of this resolution be furnished to the Wandering Wheels.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 97, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Carter and Cross:

H. J. R. 90. COMMENDING JULIAN NEWMAN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 90, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 50. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 518, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 518, with a suggested executive amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

July 20, 1971

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 518, without my approval and with suggested executive amendments.

It is suggested that Section 4 of House Bill No. 518 be amended to change the language in paragraph (2) subsection C of Section 186 to read as follows:

"(2) The organization had four or more individuals in employment for some portion of a day in each of 20 different weeks, whether or not such weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time."

It is suggested that Section 4 of House Bill No. 518 be further amended to change the language of subparagraph (d) of subsection K, paragraph (1), of Section 186 to read as follows:

"(d) In the employ of the operator of a farm, a group of operators of farms (or a cooperative organization of which such operators are members) in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodities; but only if such operator or group of operators (or a cooperative organization of which such operators are members) produced more than one-half of the commodity with respect to which such service is performed. Provided however, the provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption."

It is further suggested that Section 8 of House Bill No. 518 be amended by striking the language of paragraph (1) (including its subparagraphs (a), (b) and (c)) of subsection F of Section 201 and substitute the following:

"(1) Each non-profit organization or group of such organizations which has elected to make payments in lieu of contributions shall at the end of each calendar quarter, or at the end of any other period as the director shall prescribe, pay to the director an amount equal to the full amount of regular benefits plus one-half of the extended benefits paid during such quarter or other prescribed period that is attributable to services in the employ of such organization. Such payments shall be made within 20 calendar days after notice of the amount due is mailed by the director."

It is suggested that Section 8 of House Bill No. 518 be further amended to change the language of paragraph (7) subsection F of Section 201 to read as follows:

"(7) Surety. Any non-profit organization which elects to become liable for payments in lieu of contributions shall, in addition to making such payments, be required within 30 days after the date the director mails notice of his approval of its election, to execute and file with the director a surety bond, or a cash deposit in lieu thereof, as approved by the director. For the purpose of this paragraph, a surety

bond is a bond of surety issued by an organization licensed and authorized to issue such bond in this State. The amount of the surety bond or cash deposit required by this paragraph shall be an amount as determined by the director but not more than three (3.0) percent of the organization's wages as defined in Section 191 of this Chapter paid for employment as defined in this Chapter for the four calendar quarters immediately preceding the effective date of the election or the renewal date in case of a bond or the biennial anniversary in the case of a cash deposit, whichever date shall be most recent and applicable. For any such organization which did not pay wages throughout each of four such calendar quarters the amount of the bond or deposit shall be as determined by the director.

(a) Surety bond. Any surety bond deposited under this subsection shall be in force for a period of not less than two full calendar years and shall be renewed not less frequently than at two-year intervals as long as the organization continues to be liable for payments in lieu of contributions. The director shall require adjustments to be made in a previously filed bond as he deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within 30 days of the date notice of such adjustment was mailed or otherwise delivered to it. Failure of any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties as provided by this chapter shall render the surety liable on said bond to the extent of the bond, as though the surety was such organization.

(b) Deposit of money. Any deposit of money in accordance with this paragraph shall be retained by the director in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization, less any deductions as hereinafter provided. The director may deduct from the money deposited under this subsection by any organization to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalty. The director shall require the organization within thirty days following any deduction from a money deposit under the provisions of this subsection to deposit sufficient additional monies to make whole the organization's deposit at the prior level. The director may, at any time, review the adequacy of the deposit made by any organization. If as a result of such review, he determines that an adjustment is necessary, he shall require the organization to make an additional deposit within thirty days of written notice of his determination or shall return to it such portion of the deposit as he no longer considers necessary whichever action is appropriate.

(c) If any organization subject to this section fails to file a surety bond or make a cash deposit or to file a surety bond in an increased amount or to increase or make whole the amount of a previously made cash deposit, or fails to pay before the delinquency date any payments due together with any accumulated interest and penalty as provided by this chapter, the director may terminate such organization's election to make payments in lieu of contributions effective as of the end of any calendar quarter and such termination shall continue for not less than two consecutive calendar years; provided, that the director may extend for good cause the posting of a cash deposit, the filing of a surety bond or the extension of an adjustment period by not more than thirty days."

The adoption of the suggested amendments will remove my objection to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 518, by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 78, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Noonan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 518, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Vacca
Clark	Givhan	Malone	Weaver
Cook	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones	Owen	

—30

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 518, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Littleton	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Noonan	Weaver
Cook	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones	Pelham	

—30

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Resolution:

H. J. R. 38. To establish a legislative committee to study parking and parking problems in the Capitol complex.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF THE COMMITTEE OF CONFERENCE ON H. J. R. 38

We, the committee of conference appointed to reconcile the disagreement between the two houses concerning H. J. R. 38, have met, considered the matter, and agreed to the attached report.

Conferees of the Senate:

ROLAND COOPER

E. C. (CRUM) FOSHEE

JOE FINE

Conferees of the House:

ROBERT L. (BOB) ELLIS, JR.

WALKER HOBBIE, JR.

DAVID B. CAUTHEN

H. J. R. 38. TO ESTABLISH A LEGISLATIVE COMMITTEE TO STUDY PARKING AND PARKING PROBLEMS IN THE CAPITOL COMPLEX.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

Section 1. There is hereby created a parking study committee to study the needs and problems of parking in the Capitol area complex.

Section 2. The committee shall be composed of three members of the House appointed by the Speaker and three members of the Senate appointed by the Lieutenant Governor.

Section 3. The committee shall conduct a study as aforesaid and shall file a written report with the State Building Commission.

Section 4. The expenses of this committee shall be paid out of funds appropriated to the use of the legislature, and all members shall receive their regular pay and expense allowances.

Section 5. The committee shall elect one of their members as a chairman and the chairman shall call meetings of the commission at such times and places as he deems necessary to carry out the functions and duties of the commission.

And said Resolution, H. J. R. 38, together with the Conference Report, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Resolution, H. J. R. 38, the title of which and said Conference Report are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 517. To amend Sections 188, 205, 207, Subsection A of Section 209, Section 213, and Subsections B and C of Section 214; to repeal the present Subsection D of Section 214, transferring the provisions thereof to Subsections B and C of Section 214 in revised form and substituting therefor a disqualification for loss of license or certain other items necessary for employment; to amend Subsection E of Section 214; to repeal the present Subsection L of Section 214 and substitute therefor a disqualification for receipt of certain allowances for training; to add a Subsection M to Section 214 providing disqualification of certain employees of an institution of education during periods between academic years or terms; and to amend Subsection B of Section 237; all the foregoing appearing in Title 26, Chapter 4, Code of Alabama 1940, as last amended, and relating to the definition of a "State" for unemployment compensation purposes, and to unemployment compensation benefit payments, weekly benefit amount, duration of benefits, waiting period, eligibility conditions, disqualifications and reciprocal arrangements.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 81. Commending S. R. Butler High School Band of Huntsville.

Also:

H. J. R. 82. Commending the Huntsville Jaycees.

Also:

H. J. R. 83. Commending the Sylacauga Friendship Club on their outstanding contributions to their community.

Also:

H. J. R. 85. Mourning the passing of Mr. Charles B. Cox of Chilton County, Alabama.

Also:

H. J. R. 73. Authorizing two members from both the House and Senate committees on Insurance to attend the National No-Fault Conference in Dallas, Texas.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 96. Inviting Governor George C. Wallace to address a Joint Session for the purpose of presenting his Budget Message.

On motion of Mr. Clark, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 42. ENDORSING THE PROPOSAL OF SENATOR HARRY F. BYRD TO REQUIRE THE RECONFIRMATION OF FEDERAL JUDGES AT REGULAR INTERVALS.

On motion of Mr. Clark, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 51. Requesting the Governor of Alabama to call a meeting of the State Building Commission.

Mr. Pelham offered the following amendment to the Resolution, S. J. R. 51, to-wit:

AMENDMENT TO S. J. R. 51

Amend S. J. R. 51 as follows:

Substitute the words "at the Governor's discretion" for the words "on Wednesday, July 21, 1971 at 10:00 A. M."

Which was adopted.

And said Resolution, S. J. R. 51, as thus amended, was then adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 281. To make an appropriation for the support and maintenance of Walker Junior College, located at Jasper, in Walker County.

By Messrs. Givhan, Vacca and Hawkins:

S. 323. To make an appropriation for the support and maintenance of Marion Institute, located in Perry County.

By Mr. Wilder:

S. 324. To make appropriations for the support and maintenance of Lyman Ward Military Academy.

By Mr. Wilder:

S. 325. To make appropriations for support and maintenance of the Tuskegee Institute, located in Tuskegee, in Macon County.

By Messrs Turner and Cottingham:

H. 52. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

By Mr. Register:

S. 355. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Institute of Aviation Technology at Ozark.

By Mr. Jones (F):

H. 173. To make an additional appropriation from the General Fund in the State treasury to the Governor's Commission on Drug Abuse.

By Mr. Harris:

S. 498. To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

By Messrs. Lindsey, Lybrand and Harris:

S. 381. To further provide for the enforcement of laws pertaining to drug control: to create and establish in the Office of the Attorney General of Alabama a division to be known as the Division of Narcotics and Dangerous Drugs: to provide for the powers, duty and authority of the Attorney General as the chief officer of said division: to authorize the employment, under the merit system, of adequate personnel and the acquisition of all necessary supplies and equipment: to

provide for the powers of investigation, search, seizure and arrest and to confer the powers of a deputy sheriff upon the personnel and such other persons engaged in the enforcement of the laws of this State pertaining to narcotics, dangerous drugs and other controlled substances: to authorize the Attorney General, upon consent of the sheriffs in each of the several counties in Alabama and the chiefs of police in each city in this State, to engage the services of the deputies, police or other peace officers for the purposes of enforcing the narcotics and dangerous drug laws of this State: to authorize the Attorney General in his discretion and with the consent of the officer or official in charge of any department, agency, bureau or institution of the State of Alabama to request and be granted the services of any law enforcement personnel, police, wardens or other law officer to assist in the enforcement of this act: and assign any of said law enforcement personnel to duties in any of the counties of the State for the purpose of enforcing said laws: to provide for the expenses of such persons while engaged in services to the Attorney General for the purpose of enforcing the provisions of this act: to make an appropriation for the maintenance and operation of such division and to provide for the acceptance of any gifts, grants, funds or equipment from the Federal government or any other source: to repeal all laws in conflict herewith and to provide for an effective date for this act.

By Mr. Harris:

S. 407. To create and establish a Data Systems Management Division in the Department of Finance; to prescribe the composition, powers and duties of the Division and of its Director; and to provide for necessary appropriations and funding of said Division.

By Messrs. Vacca, Bailes, Givhan, Hawkins, King, Carr, Malone, Shelby, Wilder, Hammond, Pierce, Gilmore, Pelham, Jones, Dominick, McLain, Lybrand, Edgington, Cook, and Dozier:

S. 268. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; providing appropriation therefor; and repealing Act No. 542, H. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ellis et al (with amendments):

H. 385. To require certain hospitals to furnish emergency care to persons in danger of loss of life, severe injury or serious illness, regardless of such persons' ability to pay; to require the state board of health to promulgate rules and regulations to effectuate the provisions of this act; and to prescribe penalties for violations.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 9. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

By Mr. Harris:

S. 557. Regulating the compensation of Legislative Reference Analysts or persons in other similar positions, who are employed by the Legislative Reference Service subject to the provisions of the Merit System; providing that the rate of compensation of such persons shall never be less than the rate of compensation prescribed for attorneys in corresponding ranks in the classified service.

By Messrs. Vacca and Gilmore:

S. 235. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

By Messrs. Vacca and Gilmore:

S. 236. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

By Messrs. Vacca and Gilmore:

S. 237. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education and making appropriations therefor.

By Messrs. Vacca and Gilmore:

S. 238. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

By Messrs. O'Bannon and Lybrand:

S. 446. To make an appropriation to the Alabama State Board of Public Accountancy.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fine and Malone (with amendment):

S. 464. To establish an Alabama Scenic Rivers System; to provide for the selection and maintenance of scenic rivers; to provide for the

acquisition of land adjacent to selected scenic river; and to provide for additional powers and duties for the Director of Conservation.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fine and Malone:

S. 465. To establish the Alabama Natural Areas Council and to provide for its membership, powers and duties.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Fine and Malone (with amendment):

S. 466. To establish an Alabama Trails System; to provide for the identification, reclamation, preservation and protection of such lands of high scenic beauty, historic significance and recreation quality as may be suitable for use in an Alabama Trails System; to establish categories of trails to provide for a Statewide Trails Advisory Committee; to provide for the acquisition of land; and to provide for additional powers and duties for the Director of Conservation.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 493. To rename the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):

S. 52. To amend Section 93 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 53. To amend Section 92 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

By Mr. Grainger, et al:

H. 448. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

By Mr. Culver et al:

H. 300. To grant free fishing privileges in any public lakes in this State to certain resident citizens of the State.

By Messrs. Jackson and Wise:

H. 35. To amend Section 2 of Act No. 1001, Acts of Alabama, 1951 Regular Session of the Alabama Legislature, approved September 14, 1951 (Acts 1951, p. 1672), which prohibits certain methods for taking birds and animals in this State so as to provide that the Director of Conservation can provide by regulation for the use of a scaffold in hunting.

By Mr. Owen:

S. 80. To amend Act Number 546, Regular Session of the Legislature of Alabama 1965 (approved August 20, 1965), relating to resident State hunting license for persons sixty-five or older.

By Mr. Clark:

S. 685. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

By Mr. Clark:

S. 689. To prohibit the taking or willful releasing of fish from the trotline, setline, basket, net, or box of another; making such offense a misdemeanor punishable by a minimum fine of twenty-five dollars.

By Mr. Clark:

S. 690. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

By Mr. Clark:

S. 691. To amend Sections 1 and 2 of Act No. 11, H. 3, Special Session 1970 (Acts of 1969-70, p. 2612) entitled "An Act to levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act."

By Mr. Owen:

S. 83. To amend Section 35 of Title 8 of the Code of Alabama of 1940 so as to increase the amount of the fine for hunting without a license.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 554. To require professional liability insurance carriers to make annual reports of certain information to the Insurance Commissioner.

By Mr. Weaver:

S. 651. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

By Messrs. Pelham and Harris:

S. 729. To regulate the use of insurance in connection with the loan or forbearance of money, and to authorize the Commissioner of Insurance to make rules and regulations relating thereto.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper (with substitute):

S. 487. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other

rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 586. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

By Mr. Wilson:

S. 588. To further amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, General and Local Acts of Alabama 1949, p. 68, as amended by Act No. 57, S. 16, approved March 7, 1955, Acts of Alabama, 1955 Special Session, p. 86, as further amended by Act No. 172, H. 485, approved July 29, 1955, Acts of Alabama, 1955 Regular Session, p. 437, so as to provide that members of the Board of Directors of a public hospital corporation shall receive fifty dollars (\$50.00) a month for compensation together with reimbursement for their actual expenses incurred in the performance of their duties.

By Mr. Wilson:

S. 613. To repeal Act No. 1117, S. 251, approved September 12, 1969, Regular Session of the Alabama Legislature 1969 (Acts 1969, p. 2060), entitled "An Act To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation"; and to provide that after the effective date of this Act any public corporation formed under the provisions of said Act No. 1117 shall have no further powers than those as are absolutely necessary to liquidate its outstanding obligations and commitments and to dissolve said corporations.

By Mr. Cooper:

S. 652. To authorize the use of beds in tuberculosis sanatoria or tuberculosis hospitals receiving a State subsidy for tuberculosis treatment for general or special hospital purposes after licensure therefor and when such beds are not needed for treatment of tuberculosis.

By Mr. Cooper:

S. 653. To prescribe standards for existing and future public facilities for the general assembly of people such as auditoriums, theaters,

assembly halls, coliseums, and stadiums but not limited to these facilities; and, to direct the State Building Commission to provide adequate periodic inspection services to insure compliance with such standards necessary to provide for the health, safety, and welfare of the people of Alabama.

By Mr. Cooper:

S. 654. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

By Mr. Cooper:

S. 662. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

By Mr. Cooper:

S. 663. In relation to the regulation of facilities for child care, repealing Title 49, Sections 62-90, as amended.

By Mr. Cooper:

S. 664. Authorizing consent to legally authorized medical, dental, health and mental health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

By Mr. Cooper:

S. 668. To provide a form indictment to charge the crime of selling, transporting, delivering, offering to sell, bartering, furnishing or giving away marijuana.

By Mr. Cooper:

S. 669. To provide that prisoners be furnished certain toiletries necessary to their personal hygiene, sanitation and cleanliness.

By Mr. Cooper:

S. 670. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

By Mr. Cooper:

S. 674. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

By Mr. Cooper:

S. 679. Relating to model glue; prohibiting inhalation and providing a penalty.

By Mr. Cooper:

S. 680. To authorize the Alabama Corrections Institution Finance Authority to continue to lease a portion of the Kilby property and give certain improvements thereon to the Environmental Protection Agency of the United States of America for the purpose of maintaining and operating an environmental laboratory.

By Messrs. Hawkins and Pelham:

S. 415. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for violations of rules and regulations established hereunder:

By Mr. Cooper:

S. 665. Further amending Code of Alabama 1940, Title 46, Section 297 (22p); relating to the practice of podiatry; bringing the definition of "surgical treatment" more in line with the functions and treatments that a podiatrist is qualified to perform, in respect to the training and educational requirements set out by the existing law.

By Mr. Cooper:

S. 678. To require instruction in the dangers of drug abuse to be taught in the public schools of this state.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Pelham (with amendment):

S. 414. To provide a Uniform Alabama Controlled Substances Act for preventing drug abuse and drug dependence, to standardize all laws in this state to be in conformity with the new Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and to repeal existing state statutes in conflict.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Foshee, Dozier and Branyon (with substitute):

S. 271. To amend Section 89, Title 36, Code of Alabama 1940, as amended, relating to size and weight of vehicles and loads, so as to increase the permissible width of certain vehicles to eight feet, nine inches.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 419. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163), an Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):

S. 420. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 514. To amend Section 8 of Act No. 434, H. 706, Legislature of 1969, Regular Session, approved August 19, 1969 (Acts of 1969, p. 840), an Act to regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances by amending said Section 8 of said Act to authorize the State Board of Agriculture and Industries to provide an alternate method of payment of the per ton inspection fee levied upon the sale of commercial fertilizers sold in Alabama or sold for importation and use therein.

By Mr. Hobbie et al:

H. 508. To further amend Act No. 638, S. 137, Regular Session of the Legislature of 1953 (Acts of 1953, p. 895), as amended by Act No. 248, H. 41, approved May 5, 1965 (Acts of Alabama of 1965, Spec. Session, p. 363) providing that the Alabama Agricultural and Industrial Exhibit Commission shall provide and pay for agricultural premiums

at the annual fair held by the South Alabama State Fair Association; to provide the amount to be paid for such premiums by amending Section 11 of said Act, as amended.

By Messrs. Culver and Smith (P):

H. 589. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation of, certain farm products after the hour of sunset and before the hour of sunrise.

By Messrs. Culver and Smith (P):

H. 590. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Mr. Lindsey, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Wilder and Lindsey:

S. 398. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hammond:

S. 499. To fix the salary for the Deputy District Attorney in counties having a population of not less than 41,500 nor more than 45,000 according to the most recent federal decennial census.

By Mr. Wilson (with notice and proof):

S. 502. Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

By Mr. Shelby (with notice and proof):

S. 504. To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for

parking motor vehicles and related facilities, and financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority; to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

By Mr. Shelby (with notice and proof):

S. 512. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylists; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

By Messrs. Pierce and Jones:

S. 515. To amend the title and Sections 1 and 2 of Act Number 481, H. 872, Regular Session 1961, as amended, pertaining to providing recreational facilities and services for cities.

By Messrs. Edington, Noonan and Pelham:

S. 519. To repeal Act No. 356, H. 627, approved August 30, 1963, entitled, "An Act relating to powers of cities having populations of not less than 200,000 and not more than 300,000, according to the last or any subsequent Federal Decennial Census; authorizing the governing bodies of such cities to adopt ordinances, which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act, "(Acts of Alabama 1963, vol. 2, p. 855)"; and to repeal the two Acts amending the above Act viz. Act No. 613, H. 1145, approved August 30, 1965, (Acts of Alabama, Regular Session 1965, vol. 2, p. 1127), and Act No. 83, H. 140, approved September 30, 1965, (Acts of Alabama, 2nd Special Session 1965, vol. 1, p. 113).

By Messrs. Edington, Noonan and Pelham:

S. 520. Relating to the powers of cities having populations of not less than 175,000 nor more than 275,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion.

By Messrs. Edington, Noonan and Pelham:

S. 521. To amend the Title and Section 1 of Act No. 126, H. 158, Second Special Session 1963 (Acts 1963, p. 314), which provides for advisory referendum elections in certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 522. To amend the Title and Section 1 of Act No. 435, H. 402, Special Session 1966 (Acts 1966, p. 580), which provide for a retirement pension for certain elected public officials in certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 523. To amend the Title and Section 1 of Act No. 749, S. 570, Regular Session 1967 (Acts 1967, p. 1603), which authorizes and provides for the payment of supplemental retirement benefits to certain municipal employees in certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 524. To amend the Title and Section 1 of Act No. 613, H. 1179, Regular Session, 1961 (Acts 1961, p. 729), which authorizes certain cities classified on a population basis to make payments to widows and children of former deceased employees of such cities.

By Messrs. Edington, Noonan and Pelham:

S. 525. To amend the Title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 526. To amend the Title and Section 1 of Act No. 716, H. 1012, Regular Session, 1967 (Acts 1967, p. 1553), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 527. To amend the Title and Section 1 of Act No. 502, S. 445, Regular Session 1963 (Acts 1963, p. 1084), which provides for the reduction of the corporate limits of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 528. To amend the Title and Section 1 of Act No. 823, S. 138, Regular Session 1965 (Acts 1965, p. 1539), which further provide for the form of government of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 529. To amend the Title and Section 1 of Act No. 39, H. 67, Special Session 1962 (Acts 1962, p. 50), which provides for the appointment of an administrative assistant in certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 530. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 175,000 nor more than 275,000 population according to the most recent federal decennial census.

By Messrs. Edington, Noonan and Pelham:

S. 531. To amend the Title and Section 1 of Act No. 682, H. 937, Regular Session, 1967 (Acts 1967, p. 1508), which provides for a retirement pension for certain elected public officials of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 532. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census.

By Messrs. Edington, Noonan and Pelham:

S. 533. To amend the Title and Section 1 of Act No. 458, H. 501, Regular Session, 1967 (Acts 1967, p. 1150), which provides that certain cities classified on a population basis shall be empowered to offer rewards for apprehension of criminals.

By Messrs. Edington, Noonan and Pelham:

S. 534. To amend the Title and Section 1 of Act No. 227, H. 137, Special Session 1964 (Acts 1964, p. 313), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 535. To amend the Title and Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 536. To amend the Title and Section 1 of Act No. 255, H. 269, Special Session 1964 (Acts 1964, p. 351), as amended by Act No. 379, H. 427, Special Session 1966 (Acts 1966, p. 523), which provides for the compensation of the ex officio judge of certain cities classified on a population basis.

By Messrs. Edington, Noonan and Pelham:

S. 537. To amend the Title and Section 1 of Act No. 33, H. 48, Special Session 1970 (Acts 1970, p. 2655), which authorizes certain cities classified on a population basis to make appropriations to any State institution of higher learning.

By Messrs. Edington, Noonan and Pelham:

S. 538. To amend the Title, Section 1, and Section 2 of Act No. 666, H. 916, Regular Session 1967 (Acts 1967, p. 1487), which provides for the administration of property for parking facilities.

By Messrs. Edington, Noonan and Pelham:

S. 539. To amend the title and Section 1 of Act No. 194, S. 99; Special Session 1969 (Acts 1969, p. 257), which Act provides for a public transit system in certain cities classified on a population basis.

By Mr. Lybrand:

S. 550. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses

shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

By Mr. Lindsey:

S. 551. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

By Mr. Hammond (with notice and proof):

S. 559. Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 560. To regulate the compensation of the members of the county board of education in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 561. To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

By Mr. Hammond (with notice and proof):

S. 562. Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

By Mr. Hammond (with notice and proof):

S. 563. Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 564. Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

By Mr. Hammond (with notice and proof):

S. 565. Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of Education in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 566. Further regulating the meetings of the county board of registrars in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 567. Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

By Mr. Hammond (with notice and proof):

S. 568. Authorizing the appointment of juvenile court officers in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 569. Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said court, to be paid into the general fund of such county.

By Mr. Hammond (with notice and proof):

S. 570. Relating to DeKalb County to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

By Mr. Hammond (with notice and proof):

S. 571. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fee for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Hammond (with notice and proof):

S. 572. To apply to DeKalb County, providing an expense allowance payable from the county treasury for the use of the coroner.

By Mr. Hammond (with notice and proof):

S. 573. To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 574. Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor or deputy district attorney in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 575. To apply to DeKalb County; providing an expense allowance for judge of the county court in DeKalb County.

By Mr. Hammond (with notice and proof):

S. 576. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

By Mr. Hammond (with notice and proof):

S. 577. Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization.

By Mr. Hammond (with notice and proof):

S. 578. Relating to DeKalb County; to provide for the payment of per diem allowance to members of boards of registrars in DeKalb County.

By Mr. Branyon:

S. 635. To amend the title and Section 1 of Act No. 594, S. 716, Regular Session 1969 (Acts 1969, p. 1081) which fixes the per diem pay for members of the county board of equalization of certain counties classified on a population basis.

By Mr. Branyon:

S. 636. To amend the title and Section 1 of Act No. 160, H. 54, Special Session 1961 (Acts 1961, p. 2108) which authorizes the county governing body to fix the compensation of deputy sheriffs in certain counties classified on a population basis.

By Mr. Branyon:

S. 637. To amend the title and Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis.

By Mr. Branyon:

S. 638. To amend the title and Sections 1 and 3 of Act No. 1092, S. 907, Regular Session 1969 (Acts 1969, p. 2077) which provides for the election and qualifications of members of the county governing body in certain counties classified on a population basis.

By Mr. Branyon:

S. 639. To amend the title and Section 1 of Act No. 1006, S. 832, Regular Session 1969 (Acts 1969, p. 1880) which regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. Branyon:

S. 640. To amend the title and Section 1 of Act No. 190, S. 409, Regular Session 1969 (Acts 1969, p. 504) which increases the salary of the deputy solicitor of certain counties classified on a population basis.

By Mr. Branyon:

S. 641. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

By Mr. Branyon:

S. 642. To amend the title and Section 1 of Act No. 13, H. 25, Third Special Session 1965 (Acts 1965, p. 217) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, in certain counties classified on a population basis.

By Mr. Branyon:

S. 643. To amend the title and Section 1 of Act No. 107, H. 381, Regular Session 1963 (Acts 1963, p. 488), which increases the pay of all employees of the county board of education in certain counties classified on a population basis.

By Mr. Branyon:

S. 644. To amend the title and Section 1 of Act No. 95, H. 276, Regular Session 1963 (Acts 1963, p. 481), which regulates the compensation of the county superintendents of education in certain counties classified on a population basis.

By Mr. Branyon:

S. 645. To amend the title and Section 1 of Act No. 67, H. 33, Special Session 1964 (Acts 1964, p. 88) which relates to closing the office of officials in the courthouse in certain counties classified on a population basis.

By Mr. Branyon:

S. 646. To amend the title and Section 1 of Act No. 68, H. 34, Special Session 1964 (Acts 1964, p. 88) which provides further for the compensation of the coroner in certain counties classified on a population basis.

By Mr. Branyon:

S. 647. To amend the title and Section 1 of Act No. 191, S. 71, Special Session 1969 (Acts 1969, p. 254) which regulates the compensation and number of meetings of members of the boards of education of certain counties classified on a population basis.

By Mr. Jones (with notice and proof):

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

By Mr. Jones (with notice and proof):

S. 682. For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

By Mr. Owens:

H. 410. Proposing an amendment to the Constitution of Alabama relating to Hale County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Stokes et al:

H. 822. To amend further Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by providing for an additional legal stenographer for such circuit.

By Mr. Williams (with notice and proof):

H. 853. To provide for the appointment of the Clerk of the County Commission of Jackson County and other clerical assistance deemed necessary by the Chairman of the County Commission; to provide for the fixing of the compensation of such Clerk and clerical assistance by the County Commission; and to repeal all laws, general, local or special, in conflict with the provisions of this act.

By Mr. Williams:

H. 854. Relating to counties having populations of not less than 38,100 nor more than 40,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Messrs. Williams, Baker and Chesnut:

H. 997. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

By Messrs. Williams, Chesnut and Baker:

H. 998. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calender, to-wit:

By Mr. Williams (with notice and proof) (with amendment):

H. 1002. To alter, rearrange and extend the boundary lines of the Town of Hollywood, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Williams (with notice and proof):

H. 1003. To alter, rearrange, extend and enlarge the boundary lines and Corporate limits of the Town of Dutton, Alabama, in Jackson County, Alabama.

BILL RE-COMMITTED

Mr. Fine moved that the Bill, S. B. 579, be re-committed to the Standing Committee on Health.

Mr. Wilson moved that the motion to re-commit be laid on the table, which motion was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Hammond	McLain	Pelham
Branyon	Harris	Malone	Register
Clark	Horne	Noonan	Weaver
Cooper	Lindsey	Owen	Wilson
Givhan	Lybrand		

—17

Nays:

Messrs.:	Dozier	Hawkins	Pierce
Bailes	Edington	Jones	Shelby
Carr	Fine	King	Vacca
Cook	Foshee	Littleton	Wilder
Dominick	Gilmore	O'Bannon	

—18

The question was then on the motion to re-commit, which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 579, recommitted to the Standing Committee on Health.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Foshee	Littleton	Wilder	
Dominick	Gilmore	O'Bannon		—18

Nays:

Messrs.:	Hammond	McLain	Pelham	
Branyon	Harris	Malone	Register	
Clark	Horne	Noonan	Weaver	
Cooper	Lindsey	Owen	Wilson	
Givhan	Lybrand			—17

ADOPTION OF RESOLUTIONS

The Resolution:

H. J. R. 86. Resolution memorializing Daniel Louis Armstrong, otherwise known as "Satchmo".

was again read and, on motion of Mr. Clark, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 96. Inviting The Honorable George C. Wallace, Governor of the State of Alabama, to address a Joint Session of the two Houses of the Legislature at 7:30 P. M. on July 22, 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

ADJOURNMENT

At 6:05 P. M., on motion of Mr. Hawkins, the Senate adjourned until Wednesday July 21, 1971, at 9 o'clock A. M.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Pierce
Carr	Foshee	Lindsey	Vacca
Clark	Gilmore	Littleton	Wilder
Cooper	Givhan	Malone	Wilson

—23

Nays:

Messrs.:	Harris	Lybrand	Owen
Cook	Horne	Noonan	Weaver
Dozier			

—8

NINETEENTH LEGISLATIVE DAY

WEDNESDAY, JULY 21, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Honorable L. D. Owen of the Twenty-fifth Senatorial District.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 1232. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County, declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle, ammunition or other hunting equipment which has been or is used for illegal nighttime deer hunting in Shelby County shall be contraband, and, in the discretion of the circuit court of such county, may be forfeited to the State of Alabama, as hereinafter provided.

Section 2. The sheriff or any other person authorized to enforce the game and fish laws of this state who apprehends any person hunting deer in Shelby County in the nighttime, or who finds any vehicle which is being or has been used in such illegal nighttime hunting shall seize such vehicle and any gun, rifle, ammunition or other deer hunting equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the solicitor or other prosecuting official in the county. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances surrounding the seizing of the property.

Section 3. The solicitor or other prosecuting officer of the county upon receiving such report shall at once institute, or cause to be instituted, condemnation proceedings in the circuit court of Shelby County in equity, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and the other vehicles used in the illegal transportation of alcoholic beverages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and hunting equipment under this Act shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture, and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249, shall apply to and govern all such proceedings.

Section 4. In order to condemn and confiscate any of the property set out in Section 1 it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in the county while hunting in the nighttime or that the hunter be apprehended in the actual act of killing deer; but it shall be sufficient to prove possession upon the person or in the motor vehicle of a gun, rifle, ammunition and other equipment at such time and place and under such circumstances as would support a conviction for illegally hunting deer in the nighttime.

Section 5. The proceeds of the sale of any property condemned and forfeited to the state under authority of this Act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state conservation fund.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, 17, 24, and July 1, all in the year 1971.

MARCIA SEARS.

Sworn to and subscribed before me July 2, 1971.

CONRAD M. FOWLER,
Probate Judge Shelby County.

Also:

By Mr. Stubbs:

H. 1234. To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in and for Shelby County, Alabama, an Inferior Court of Law, both civil and criminal, which shall be called the Shelby County Inferior Court. It shall have preliminary jurisdiction only of all felonies, and its civil jurisdiction shall not exceed the sum of \$1,500.00, exclusive of the interest and cost, except, that in any civil action filed where a cross-action counter-claim, set-off or plea in recoupment is filed claiming in excess of \$1,500.00, the Court shall have jurisdiction of said action and shall proceed with it to a conclusion; and said Court shall have concurrent jurisdiction with justices of the Peace of Shelby County in all civil matters; and shall have exclusive original jurisdiction in all misdemeanors committed in Shelby County, except misdemeanors returned by the Grand Jury to the Circuit Court; and shall have exclusive original jurisdiction of paternity proceedings and of unlawful detainer, and other criminal or quasi-criminal proceedings cognizable before Justices of Peace Courts. The Shelby County Inferior Court shall have exclusive jurisdiction over children and the Judge of said court shall be Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon said Shelby County Inferior Court of all juvenile matters and juvenile jurisdiction in Shelby County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be as provided by law. The Clerk of said Shelby County Inferior Court is hereby made the Clerk of such Court exercising such jurisdiction over juvenile matters. Shelby County Inferior Court shall also have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama of 1940, as Recompiled, which Article 3 is entitled Desertion and Non-Support and of paternity

proceedings arising under Title 27, Chapter 2—A of the Code of Alabama of 1940, as recompiled. The trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. The Judge of said Shelby County Inferior Court shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon said Shelby County Inferior Court of all domestic relations matters arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama of 1940, as recompiled or as amended or as hereafter may be amended.

Section 2. The Governor of the State of Alabama shall appoint a Judge to serve as Judge of said Court until the next general election to be held in 1972; his interim term shall begin immediately after his appointment by the Governor and he takes his oath of office. A judge of said Court shall be elected by the qualified electors of Shelby County, at the general election to be held in 1972, and each six years thereafter, and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of six years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Courts of Alabama. The said Judge shall be a domiciled resident and a qualified elector of Shelby County, Alabama, shall be learned in the law, and shall be a member in good standing of the Alabama State Bar or shall have had at least 4 years experience serving as a Judge of a municipal recorder's court or of a municipal Mayor's court, and shall not be less than twenty-five years of age. The said Judge shall devote his entire time to the duties of his office, and if a lawyer, shall be barred from the practice of law during his term of office. Said Judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State. The Judge of said Court shall receive a salary of \$10,000 per annum, payable in twelve equal monthly installments out of the county treasury at the end of each month.

Section 3. (a) The clerk of the Circuit Court of Shelby County, Alabama, shall be ex-officio clerk of the Shelby County Inferior Court and shall have the same powers and discharge the same duties as Clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office.

(b) It shall be the duty of the clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority:

(1) to administer oaths and take acknowledgments and affidavits;

(2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases:

(3) to fix bail and approve bonds;

(4) to enter all judgments, orders, and decrees of the court;

(5) to certify all appeals;

(6) to issue certificates of judgment, and

(7) to exercise all powers and authority which are now or may be hereafter conferred on clerks of circuits courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 4. The Deputy Solicitor of Shelby County, Alabama, shall be the Solicitor of said Court and in addition to duties now imposed upon said solicitor, he shall be required to attend said Court and therein prosecute all cases of a criminal or quasi-criminal nature wherein the State is a party to the case; and for such services he shall receive a salary of \$5,800.00 per annum which shall be in lieu of the amount now fixed by law for his salary as Deputy Solicitor, and is to be paid in twelve equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required. The Deputy Solicitor may employ a clerical assistant who shall serve at his will and pleasure and perform such duties as he may prescribe. The clerical assistant shall be entitled to a salary of \$1,200.00 per annum, which salary shall be paid in equal monthly installments out of the County Treasury on warrants drawn in the manner prescribed by law.

Section 5. The said Shelby County Inferior Court shall be held at the court house of Shelby County, Alabama, and that said court shall be open at all times for the trial of cases and transactions of business. In case of sickness or disqualification of the Judge of said Court, the said Clerk of said Court shall appoint a special judge and the special judge appointed shall receive for his services the same pay that special Circuit Judges receive for their services and the same to be paid out of the general funds of Shelby County, Alabama, on the certificate of the Clerk making the appointment. The Judge of said court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State. The Judge of said court shall keep an office in the court house of Shelby County, Alabama, or at such other suitable place as may be provided by the Commissioners of Shelby County, Alabama, and it shall be the duty of said commission to provide such office and supply the same with all furnishings, fixtures, stationery, telephone and other supplies necessary to enable the Judge of said court to efficiently conduct the affairs of his office.

Section 6. The Judge of said Court shall have the right and power to determine and fix the time of holding the sessions of said Court for the trial of all cases, as he may deem expedient; provided, however, a session of said Court for the trial of criminal and civil cases shall be held at least once each calendar month.

Section 7. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgment to the Circuit Court of Shelby County, Alabama, by giving security for the costs, the same to be approved by the Clerk of Judge of said Shelby County Inferior Court, or if the party desiring to appeal, wishes to supersede the judgment of said court, then he may give security for costs and a supersedeas bond in double the amount of the judgment, to be approved by the Judge or Clerk of said court. All appeals from judgments in civil causes in said court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said court shall be tried de novo in the Circuit Court in any case appealed from said Court to the Circuit Court. The appellant, within ten days, after the perfection of his appeal and the appellee, within ten days after notice of appeal is served on him, may have the issues of fact tried by a jury in the Circuit Court by

filing with the Clerk of the Circuit Court written demand for a trial of said cause by a jury.

Section 8. In all criminal cases of conviction in said Shelby County Inferior Court, the defendant shall have the right of appeal to the Circuit Court of Shelby County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the Judge of the Shelby County Inferior Court may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury; otherwise, said case shall be tried by the Court without a jury.

Section 9. The Supreme Court and the civil and criminal Courts of Appeal of this State shall have appellate and supervisory jurisdiction over said court and the Judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State, and the Judge thereof.

Section 10. There shall not be any jury trials in the Shelby County Inferior Court in the trial of civil and criminal cases.

Section 11. Any civil cases now or hereafter pending in the Circuit Court of Shelby County, Alabama, may be by agreement of the parties thereto, transferred from the said Circuit Court to the Shelby County Inferior Court and any civil cases pending in the Shelby County Inferior Court may be, by agreement of the parties thereto, transferred from said Shelby County Inferior Court to the Circuit Court of Shelby County, Alabama.

Section 12. The procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Shelby County Inferior Court, except as otherwise provided herein.

Section 13. The Sheriff of Shelby County shall, in person or by a deputy, appointed by him, with approval of the Judge of said court, be required to attend upon said court in preserving order, and execute all writs of process issued out of and returnable to this court and perform such other duties in all respects as in the Circuit Court of this State, except as herein otherwise provided. No other persons, including constables, shall perform any duties set out herein.

Section 13. (a). A bailiff shall be appointed by the Sheriff to serve upon this Court at the request and on the approval of the Judge of said Court.

Section 14. If, for any reason, forfeiture be taken on any bond on the criminal side of said court, the court may order the alias capias returnable instantor or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then, the court is hereby authorized and empowered to make the judgment final.

Section 15. The Judge of said Shelby County Inferior Court shall adopt a seal for said Court, which shall be kept in the custody and control of the Clerk of the Court.

Section 16. When the summons, writ of attachment, summons and complaint in attachment, or other process in law has been executed on the defendant or service perfected on him, as required by law, the

defendant shall appear and plead, answer or demur thereto within the time now, or which hereafter may be, provided by law, in the Circuit Court.

Section 17. Prosecutions for misdemeanors committed in Shelby County may be instituted in the said court by making an affidavit before the Judge, Clerk or the Solicitor of said court, the writ on said affidavit to be issued by the Judge, Clerk or the Solicitor of said Court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940 as recompiled. All affidavits or warrants for criminal or quasi criminal acts of whatever kind issued by the Justices of Peace of Shelby County shall be returnable to this Court.

Section 18. The Judge or Solicitor of said Shelby County Inferior Court and Justices of the Peace shall have the power to issue search warrants. The Judge of said court shall have the power to issue writs of habeas corpus and certiorari writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Shelby County Inferior Court, and the Judge thereof shall have the same powers and authority including punishment for contempt as is or hereafter may be conferred upon the Judge of the Circuit Courts if Alabama, unless otherwise provided by this Act.

Section 19. The Judge of the Shelby County Inferior Court shall have the power and the authority to secure the services of a competent Court Reporter to attend the sessions of the Court and report all criminal preliminary hearing cases tried when request therefore is made by any party to the suit. The Reporter shall serve at the will and pleasure of the Judge of said Court. The Reporter shall receive a minimum of \$10.00 and a maximum of \$25.00 for each day, or fraction thereof, that he or she is called upon to serve, to be paid out of the County Treasury of the County on a warrant drawn thereon by the Judge of said Court and in addition he or she shall receive for his or her own use from the parties interested, at their request, fifteen cents (15c) per hundred words for making a transcript of evidence taken by such reporter and appending thereto his or her certificate to the correctness of the same; and five cents (5c) per hundred words for each copy thereof, to be paid to said Reporter in advance, upon ordering such transcript or copy thereof. The Reporter shall be required to keep his or her notes for public use and inspection.

Section 20. Upon the effective date of this Act all fines and forfeitures assessed and collected in the Shelby County Court shall be deposited in the General Funds of Shelby County, except as otherwise provided by law. Claims accruing in the Shelby County Inferior Court will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 21. It shall be the duty of the clerk of said court to keep a record upon which shall be recorded all affidavits made before the Judge, Clerk or Solicitor of said Shelby County Inferior Court or returnable by a Justice of the Peace to said court, and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the Clerk shall charge a fee of seventy-five cents to be taxed as costs in case of the defendant's conviction, and which shall be paid into the county treasury.

Section 22. Judgments or decrees rendered by said Shelby County Inferior Court shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts which are not courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk of the said court as is now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be, provided by law.

Section 23. The venue of any case in the said Shelby County Inferior Court may be changed to other counties as it is now, or as it hereafter may be, provided by law.

Section 24. Final judgments rendered in said Shelby County Inferior Court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days, or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to said court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 25. The Law and Equity Court of Shelby County Alabama, as created by Act 246, page 347, Volume 1, Acts of Alabama, 1965 Regular Legislative Session, be and the same is hereby abolished, and from and after the effective date of this Act shall no longer exist, and no officer of this State or County shall collect any fees or salaries because of said court, or for services rendered in said court, and all cases pending in the Law and Equity Court of Shelby County, Alabama, as created by said Act 246, upon the effective date of this Act, shall immediately become pending upon the docket of the Shelby County Inferior Court, as though originally brought in said Court, and shall be called for trial as above provided, and all judgments and decrees heretofore rendered in the Law and Equity Court of Shelby County, Alabama, and pending in said Court shall be transferred to the Shelby County Inferior Court and the said Shelby County Inferior Court shall have the same powers and control over such judgments and decrees and shall issue execution and other processes thereon in all respects as if the judgment or decree had been originally rendered in said Shelby County Inferior Court.

Section 26. Except as prohibited by the general law, a trial tax of three dollars (\$3.00) shall be imposed in each case, civil and criminal, which is docketed in said Shelby County Inferior Court, to be taxed and collected as other costs and when collected, to be paid by the Clerk of said Shelby County Inferior Court into the General Funds of the county as other costs. In civil cases at law where the amount involved is fifty dollars or less, a trial tax of only \$1.00 shall be imposed and collected. In all criminal cases where the defendant is charged with violating any of the penal sections of Title 36, Code of Alabama 1940, as recompiled and amended or supplemented, and in cases involving violations of the penal sections of Title 8, Code of Alabama 1940, as recompiled and amended or supplemented, and in cases involving violations of the penal provisions of Act No. 576, H. 256, Regular Session of 1959 (Acts of 1959, p. 1442) or of any and all other laws relating to the registration of vessels and their operation on the waters of the State or to water safety, and pleads guilty, no trial tax shall be imposed or collected; and in every other criminal case where the de-

fendant pleads guilty and no appeal is taken or where the case is not proessed upon the payment by the defendant of the costs no trial tax shall be taxed and collected.

Section 27. This Act shall in no way affect the present authority and jurisdiction of Municipal Courts.

Section 28. Witnesses summoned and attending the Shelby County Inferior Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Shelby County, Alabama, and also witnesses summoned for the State in preliminary hearings shall be paid in the same manner as state witnesses in the Circuit Court.

Section 29. The Clerk, with the approval of the Judge of said Shelby County Inferior Court is hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the Judge and signed by the Clerk.

Section 30. If for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 31. All laws or parts of laws which conflict with this Act are repealed.

Section 32. After the passage of this Act by the Legislature and approval by the Governor, or its otherwise becoming law, it shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, 17, 24, and July 1, all in the year 1971.

MARCIA SEARS.

Sworn to and subscribed before me July 2, 1971.

CONRAD M. FOWLER,
Probate Judge of Shelby County.

Also:

By Mr. Coshatt:

H. 1237. To authorize the county governing body of St. Clair County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of St. Clair County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or like governing body in St. Clair County is hereby authorized and empowered to appropriate out of any moneys in the treasury not otherwise appropriated, and to expend not exceeding the sum of three thousand dollars (\$3,000.00) per annum for any purpose not otherwise provided for by law, that in their judgment are worthy and for the best interest of the county, the fund hereby authorized to be known as the "contingent fund." Provided, however, the expenditures herein provided shall first be authorized by the governing body of the county in a resolution spread upon its minutes.

Section 2. Under the provisions of Section 1, not more than three thousand dollars (\$3,000.00) shall be appropriated and expended in any one year; and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will together with the sum so remaining unexpended bring the contingent fund up to the sum of three thousand dollars (\$3,000.00).

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me June 17, 1971.

DOROTHY F. FLOYD,
Notary Public,
State at Large.

Also:

By Mr. Coshatt:

H. 1238. To repeal Act No. 516, H. 1029, approved August 21, 1969, entitled, "An Act relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law." (Acts of Alabama, Regular Session, 1969, p. 992).

Also:

By Mr. Coshatt:

H. 1239. To repeal Act No. 621, H. 1201, approved August 26, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties." (Acts of Alabama, 1965, p. 1135).

Also:

By Mr. Coshatt:

H. 1240. Regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of St. Clair County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County each member of the court of county commissioners, board of revenue, or other like governing body of the county shall be allowed mileage of ten cents per mile traveled in going to and returning from the court and for each mile traveled in the discharge of his duties in letting out, inspecting and accepting, building or repairing any of the county bridges or county buildings, roads or works.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me June 17, 1971.

DOROTHY F. FLOYD,
Notary Public,
State at Large.

Also:

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 1220. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Be It Enacted by the Legislature of Alabama:

Section 1. An additional assistant district attorney shall be appointed by and shall serve at the pleasure of the district attorney of the Twenty-third Judicial Circuit, in the same manner as all other assistant district attorneys of said circuit. The additional assistant district attorney provided for by this section shall have and exercise all the jurisdiction, powers, rights, and authority conferred upon other assistant district attorneys of this state. Such assistant district attorney shall be assigned by the district attorney of the Twenty-third Judicial Circuit to prosecute all criminal, quasi-criminal, juvenile delinquency and child custody cases arising in or returnable to the Family Court

Division of the Circuit Court of said circuit. And, further such additional assistant district attorney shall have and exercise the jurisdiction, power and authority to initiate cases in and issue warrants returnable to said court upon proper affidavit or petition as required by law. Such additional assistant district attorney shall be paid by the State of Alabama an annual salary of forty-two hundred (\$4,200) dollars, payable as the salaries of other officers are paid and in addition to said salary, shall receive a county supplement to be determined in the same manner as all other assistant district attorneys of said circuit.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 14, 21, 28, and July 5, 1971.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 5th day of July, 1971.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Mr. Mathews:

H. 1092. Relating to counties having populations of not less than 10,660 nor more than 10,900; to levy and provide for the collection of an annual license or privilege tax on wholesale distributors or jobbers of malt or brewed beverages within such counties; and to prescribe penalties.

Also:

By Mr. Mathews:

H. 1093. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to authorize the county commission or other like governing body, in such counties to make an annual appropriation out of the county public highway and traffic fund to the tax assessor, to the tax collector and to the probate judge for clerk hire allowances to be used for the compensating of clerks for duties relative to the assessment and collection of taxes on motor vehicles or the issuance of motor vehicle license tags.

Also:

By Messrs. Wood and Therrell:

H. 879. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an Act creating the office of county license

inspector in all counties having populations of not less than 225,000 nor more than 400,000, so as to provide that said license inspector shall be appointed by majority vote of the county governing body and to provide that his salary shall be established by the board of the Mobile County Civil Service System.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1232, 1234, 1237, 1238, 1239, 1240, 1220, 1092, 1093 and 879. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Williams:

H. 1201. To repeal Act No. 171, S. 91, approved, July 16, 1962, Special Session 1962 (Acts of Alabama 1962, p. 217) entitled, "An Act To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, for making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use."

Also:

By Mr. Williams:

H. 1202. To repeal Act No. 181, H. 77, approved, September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2154) entitled, "An Act To provide an additional expense allowance for the members of the County Board of Education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census."

Also:

By Mr. Williams:

H. 1203. To repeal Act No. 915, H. 1301, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1646) entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Also:

By Mr. Williams:

H. 1204. To amend the title and Section 1 of Act No. 438, H. 788, Regular Session 1969 (Acts 1969, p. 873), which Act authorizes the county governing body to fix the amount and prescribe the manner of compensating the members of the jury commissions in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1205. To amend the title and Section 1 of Act No. 195, H. 208, Special Session 1967 (Acts 1967, p. 242), which Act provides for payment of additional expense allowances to the chairman and members of the governing body of certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1206. To amend the title and Section 1 of Act No. 654, H. 879, Regular Session 1967 (Acts 1967, p. 1475), which Act provides for expense allowances for coroners in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1207. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session 1969 (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1208. To amend the title and Section 1 of Act No. 137, H. 457, Regular Session 1969 (Acts 1969, p. 410), which Act provides for an expense allowance for the judge of the county court in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1209. To amend the title and Section 1 of Act No. 144, H. 165, Special Session 1967 (Acts 1967, p. 194), which Act authorizes the county commission to appropriate funds from the general fund for the purpose of employing clerical help in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1210. To amend the title and Section 1 of Act No. 439, H. 789, Regular Session 1969 (Acts 1969, p. 875), which Act authorizes the county commission to appropriate county funds to establish a contingent fund; and providing for the use of such funds in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1211. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1212. To amend the title and Section 1 of Act No. 1203, H. 1449, Regular Session 1969 (Acts 1969, p. 2245), which Act provides for the taxing of additional court cost on misdemeanors in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1213. To amend the title and Section 1 of Act No. 82, H. 81, Special Session 1967 (Acts 1967, p. 114), which Act authorizes the county commission to appropriate funds from the Highway Traffic Funds or other funds in the county treasury for law enforcement purposes, including the payment of deputy salaries, in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212 and 1213. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crowe:

H. 953. To further amend the title and Section 1 of Act No. 98, S. 148, approved June 29, 1955 (Acts 1955, p. 343), as last amended, which relates to the fixing of compensation of the superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 954. To amend the title and Section 1 of Act No. 223, H. 325, Regular Session 1961 (Acts 1961, p. 257), which fixes the compensation of the deputies and other assistants to the sheriffs in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 955. To amend Section 1 of Act No. 375, H. 854, Regular Session 1963 (Acts 1963, p. 876), which authorizes the governing bodies of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Also:

By Mr. Crowe:

H. 956. To amend the title and Section 1 of Act No. 14, H. 64, Special Session 1962 (Acts 1962, p. 22), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 957. To amend Section 1 of Act No. 54, S. 15, Special Session 1964 (Acts 1964, p. 71), which relates to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

By Mr. Crowe:

H. 958. To amend the title and Section 1 of Act No. 302, H. 536, Regular Session 1965 (Acts 1965, p. 419), which provides for compensation of the secretary of the circuit solicitor in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 959. To amend the title and Section 1 of Act No. 304, H. 539, Regular Session 1965 (Acts 1965, p. 420), which provides an expense allowance payable from county school funds for the county superintendent of education of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 960. To amend the title and Section 1 of Act No. 134, H. 142, Special Session 1965 (Acts 1965, p. 185), which sets the salary of the stenographic secretary of the judge of the Intermediate Court of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 961. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts 1965, p. 183), which provides for the appointment and salary of a clerk by the register of the circuit court of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 962. To amend further Section 463 of Title 51, Code of Alabama 1940, as last amended, which levies license taxes on persons engaged in selling automobiles; levying a special license on auction sales of motor vehicles in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 963. To amend the title and Section 1 of Act No. 135, H. 143, Special Session 1965 (Acts 1965, p. 186), which regulates the compensation of the deputy or assistant circuit clerks of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 964. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963 and 964. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crowe:

H. 920. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts 1957, p. 1037), as last amended, which further defines the police jurisdiction of certain incorporated municipalities situated in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 921. To amend further Section 11 of Title 19, Code of Alabama (1940), as last amended, which relates to the appointment of commissioners in condemnation proceedings and requires probate judges to appoint members of the county board of equalization as commissioners in any proceeding in which the county is a party in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 922. To amend the title and Section 1 of Act No. 127, H. 123, Special Session 1969 (Acts 1969, p. 195), which provides expense allowances to certain municipal officers who are directors of public utility boards in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 923. To amend the title and Section 1 of Act No. 49, H. 79, Special Session 1970 (Acts 1970, p. 2673), which provides for eligibility to hold public office in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 924. To amend the title and Section 1 of Act No. 1188, H. 1414, Regular Session 1969 (Acts 1969, p. 2223), which provides for the reinstatement of driving privileges after suspension thereof in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 925. To amend the title and Section 1 of Act No. 883, H. 1232, Regular Session 1969 (Acts 1969, p. 1589), which provides clerk hire allowances for the judges of probate and sheriffs of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 926. To amend the title and Section 1 of Act No. 857, H. 1179, Regular Session 1969 (Acts 1969, p. 1563), which fixes the compensation of jury commissions in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 927. To amend Section 1 of Act No. 342, H. 809, Regular Session 1969 (Acts 1969, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Also:

By Mr. Crowe:

H. 928. To amend the title and Section 1 of Act No. 144, H. 154, Special Session 1969 (Acts 1969, p. 208), which provides an expense allowance for judges of inferior courts in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 929. To amend the title and Section 1 of Act No. 624, H. 807, Regular Session 1967 (Acts 1967, p. 1429), which authorizes the county governing body of certain counties classified on a population basis, to provide automobiles or automotive equipment for the use of the sheriff and his deputies in performing their duties.

Also:

By Mr. Crowe:

H. 930. To amend the title and Section 1 of Act No. 600, H. 657, Regular Session 1967 (Acts 1967, p. 1385), which provides for the assessment of ad valorem taxes on real and personal property, the claiming of statutory exemptions thereon, and penalties for failure to comply, relating to certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 920, 921, 922, 923, 924, 925, 926, 927, 928, 929 and 930. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crowe:

H. 943. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 944. To further amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts 1955, p. 1053), as last amended, which relates to the territorial limits of the police jurisdiction outside the corporate limits of cities in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 945. To amend the title and Section 1 of Act No. 139, H. 337, Regular Session 1961 (Acts 1961, p. 177), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 946. To amend the title and Section 1 of Act No. 308, H. 566, Regular Session 1965 (Acts 1965, p. 424), which provides an expense allowance for the coroners of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 947. To amend the title and Section 1 of Act No. 303, H. 537, Regular Session 1965 (Acts 1965, p. 420), which provides pay raises for deputy sheriffs and other assistants of the sheriffs of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 948. To amend the title and Section 1 of Act No. 61, S. 128, Special Session 1964 (Acts 1964, p. 84), which fixes and regulates the payment of the fees of jurors in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 949. To further amend the title and Section 1 of Act No. 681, S. 291, Regular Session 1965 (Acts 1965, p. 1243), which provides further for the payment and retirement of certain claims against the fine and forfeiture funds of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 950. To amend the title and Section 1 of Act No. 227, H. 333, Regular Session 1961 (Acts 1961, p. 260), which fixes the compensation of members of the jury commissions of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 951. To amend further the title and Section 1 of Act No. 221, H. 140, approved August 8, 1955 (Acts 1955, p. 531), as last amended, which relates to the power, authority, and jurisdiction of courts pursuant to final judgment upon bail bonds or undertakings in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 952. To further amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts 1955, p. 1051), as last amended, which relates to the exemption of purchases of medical, surgical, and hospital supplies from any system of competitive bidding in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 943, 944, 945, 946, 947, 948, 949, 950, 951 and 952. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 378. To provide that the Sheriff of counties having a population of not less than 54,500 nor more than 56,000 according to the 1970 Federal Census, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Also:

S. 361. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment of additional expense allowances of members of the county commissioners or like governing body of such counties.

Also:

S. 136. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

S. 137. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

S. 141. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961 p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

Also:

S. 142. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

S. 143. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 140. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

Also:

S. 144. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 324. To amend Act No. 755, H. 49, Regular Session 1967, approved September 8, 1967 (Acts, 1967, p. 1609) which relates to supernumerary tax collectors, tax assessors, license commissioners, or other elected officials charged with the assessment and/or collection of ad valorem taxes in the various counties of the State; amending such Act relative to the required prior service, and to prescribe repayment of contributions in certain instances

Also:

By Mr. Drake:

H. 40. To amend Section 93 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

Also:

By Mr. Drake:

H. 41. To amend Section 92 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

Also:

By Mr. Grainger:

H. 391. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

Also:

By Messrs. Agee and McCorquodale:

H. 470. To authorize incorporated municipalities to employ on a part-time basis regular deputy sheriffs to serve as policemen.

Also:

By Messrs. Barkett and Lyons:

H. 472. To amend Sections 8, 14, 26 and 36(1) of Title 29, Chapter I, Code of Alabama 1940; providing that liquor stores may accept in payment of liquor certified checks, cashiers checks or checks guaranteed by a commercial bank who are members of FDIC rather than for cash only; to increase the amount of filing fee for application for hotels, restaurants or club liquor license; to increase the amount of filing fee for application for distributors, wholesale or retail licenses; to regulate the consumption of alcoholic beverages on Sunday.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1138. To provide office furniture, supplies, and equipment and a secretary for the District Attorney for the Thirty-seventh Judicial Circuit and to grant certain powers and duties to said secretary.

Also:

By Messrs. Turnham and Brassell:

H. 1148. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries in the 37th Judicial Circuit; and to provide for the taxing and collection of law library fees as item of court costs in cases docketed in certain courts within the county.

Also:

By Mr. Stokes:

H. 700. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Also:

By Mr. Stokes:

H. 701. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 324. To the Committee on Finance and Taxation.

H. B.'s 40 and 41. To the Committee on Conservation.

H. B.'s 391, 700 and 701. To the Committee on County Government.

H. B. 470. To the Committee on Municipal Government.

H. B.'s 472, 1138 and 1148. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crowe:

H. 931. To amend the title and Section 1 of Act No. 562, H. 656, Regular Session 1967 (Acts 1967, p. 1316), which provides an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 932. To amend the title and Section 1 of Act No. 40, H. 102, Regular Session 1967 (Acts 1967, p. 368), which sets the salary of the clerks of certain inferior courts in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 933. To amend the title and Section 1 of Act No. 39, H. 101, Regular Session 1967 (Acts 1967, p. 367), which provides an expense allowance to be paid out of the general fund for the judges of certain inferior courts in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 934. To amend further the title and Section 1 of Act No. 486, H. 944, Regular Session 1957 (Acts 1957, p. 670) as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 935. To amend the title and Section 1 of Act No. 101, H. 99, Regular Session 1967 (Acts 1967, p. 440), which authorizes the sheriff to issue permits for the movement of certain sized houses and objects in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 936. To amend the title and Section 1 of Act No. 227, H. 234, Special Session 1967 (Acts 1967, p. 310), which provides further for the compensation and allowances of the deputies of the sheriff in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 937. To amend the title and Section 1 of Act No. 199, H. 228, Special Session 1967 (Acts 1967, p. 245), which fixes the compensation of the secretary of the district attorney in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 938. To amend the title and Section 1 of Act No. 44, H. 179, Second Special Session 1965 (Acts 1965, p. 64), which provides additional allowances for the tax collectors of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 939. To amend the title and Section 1 of Act No. 928, H. 1339, Regular Session 1969 (Acts 1969, p. 1667), which provides compensation for the clerk of the intermediate court and for the secretary of the district attorney in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 940. To further amend the title and Section 1 of Act No. 227, H. 234, Regular Session 1967 (Acts 1967, p. 310) as last amended, which provides further for the compensation and allowances of the deputies of the sheriffs of certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 941. To amend the title and Section 1 of Act No. 181, H. 344, Regular Session 1961 (Acts 1961, p. 222), which empowers county governing bodies to pay county employees their regular wage or salary while sick or unable to work but not to exceed ten days per annum in certain counties classified on a population basis.

Also:

By Mr. Crowe:

H. 942. To amend the title and Section 1 of Act No. 182, H. 345, Regular Session 1961 (Acts 1961, p. 223), which provides for payment, additional duties, office space, equipment, furniture, supplies, and services of coroners of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941 and 942. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Barkett:

H. 1185. To amend the title and Section 1 of Act No. 77, H. 458, Regular Session, 1965, (Acts 1965, p. 104), which provided for compensation of the members of the boards of education of such counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1186. To amend the title and Section 1 of Act No. 331, H. 808, Regular Session 1965, (Acts 1965, p. 460), which provided for expense allowances for the coroners of such counties.

Also:

By Mr. Barkett:

H. 1187. To amend the title and Section 1 of Act No. 468, H. 561, Regular Session 1967, (Acts 1967, p. 1160), which provided for regulating compensation of election officers in certain counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1188. To amend the title and Sections 1 and 2 of Act No. 1194, H. 1433, Regular Session 1969, (Acts 1969, p. 2234), which provided for the operation of non-profit ambulance services by such counties and municipalities in all such counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1189. To amend the title and Section 1 of Act No. 714, H. 1010, Regular Session 1967, (Acts 1967, p. 1551), which provided for per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1190. To amend the title and Section 1 of Act No. 776, H. 1487, Regular Session 1961 (Acts 1961, p. 1114), which Act provides for the payment of an allowance for the chairman of the county commission in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1191. To amend the title and Section 1 of Act No. 660, S. 766, Regular Session 1969 (Acts 1969, p. 1194), which Act provides for the licensing of, and to regulate the operation of, hunting on privately owned hunting preserves, stocked by artificially propagated uplands in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1192. To amend the title and Section 1 of Act No. 510, H. 1125, Regular Session 1965 (Acts 1965, p. 750), which Act authorizes the establishment of branch banks in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1193. To amend the title and Section 1 of Act No. 172, S. 92, Special Session 1962 (Acts 1962, p. 218), which Act withdraws jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1194. To amend the title and Section 1 of Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750), which Act authorizes the deputy district attorney to employ a full time secretary and to fix the salary therefore.

Also:

By Mr. Williams:

H. 1195. To amend the title and Section 1 of Act No. 783, H. 1362, Regular Session 1961 (Acts 1961, p. 1135), which Act prohibits the taking of fish from public waters by the use of hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1196. To amend the title and Section 1 of Act No. 182, H. 78, Special Session 1961 (Acts 1961, p. 2154), which Act further regulates the compensation and allowances of members of the Board of Registrars of certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1197. To amend the title and Section 1 of Act No. 248, H. 595, Regular Session 1969 (Acts 1969, p. 580), which Act provides for the selection of text books and instructional materials for use in the public schools in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1198. To amend the title and Section 1 of Act No. 455, H. 470, Regular Session 1967 (Acts 1967, p. 1147), which Act provides for the compensation of the members of the board of equalization in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1199. To amend the title and Section 1 of Act No. 270, H. 74, Special Session 1966 (Acts 1966, p. 410), which Act authorized the sheriff to employ additional deputies fixing their powers and duties and providing for their compensation in certain counties classified on a population basis.

Also:

By Mr. Williams:

H. 1200. To amend the title and Section 1 of Act No. 183, H. 79, Special Session 1961 (Acts 1961, p. 2155), which Act further regulates the compensation and allowances of members of the board of equalization of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199 and 1200. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 1102. Relating to all counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to authorize an increase in the fees charged by the probate judge for the issuing of a marriage license, for performing the marriage ceremony and for the issuing of a marriage certificate in said counties.

Also:

By Mr. Williams:

H. 1149. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances and compensation of the Judge of Probate and other County officers of Jackson County.

Also:

By Mr. Owens:

H. 1176. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Brent in Bibb County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the city all territory now within such corporate limits and also certain other additional and adjacent territory as follows:

PARCEL NO 1

Begin at the SW corner, Section 4, Township 22 North, Range 9 East, thence East along South boundary of Section 4, to SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4, thence North along $\frac{1}{2}$ section line to SE corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, thence West to SW corner of said quarter, thence North along West boundary of said quarter to intersection of present Brent City Limit line, thence Southwesterly along present City Limit line to intersection of West boundary of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 4, thence continue South along present City Limit line which is also the West boundary of Section 4, to the point of beginning.

PARCEL NO. 2

Begin at SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 33, Township 23 North, Range 9 East, thence East along southern boundary of Section 33, and Southern boundary of Section 34 to NW corner of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 3, Township 22 North, Range 9 East, thence South along West boundary for a distance of 660', thence East parallel to North boundary of said quarter section to intersection of East boundary, thence North along section line to NE corner of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ which is present Brent City Limit line, thence West along North boundary of said quarter section to NE corner of said quarter section, thence South along West boundary of said quarter section to the SW corner, thence West to SE corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, thence North along East boundary of said quarter section to NE corner of said quarter section which is intersection of present City Limit line, thence West along North boundary of said quarter section to the NW corner of said quarter section, thence SW along present City Limit line to the point of beginning.

PARCEL NO 3

Begin at the SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5, Township 22 North, Range 9 East, thence North to the NW corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, thence East along North boundary of said quarter section to NE corner of said quarter section, thence North to NW corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 32, thence East along half section line to NE corner of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 32, thence North along West boundary of Section 33, and East boundary of 32, to NW corner of Section 33, thence East along North boundary of Section 33, to the NE corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ which is present City Limit line, thence Southwesterly along present City Limit line to intersection of South boundary of Section 32, Township 23 North, Range 9 East, thence continue Southwesterly along present City Limit line to intersection of West boundary of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 5, thence Southeasterly along present City Limit line to intersection of South boundary of Section

5, Township 22 North, Range 9 East, thence West along South boundary of said section to SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 5 the point of beginning.

PARCEL NO. 4

Begin at the SW corner of Section 21, Township 23 North, Range 9 East, thence North along West boundary of said section and West boundary of Section 16 to NW corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, thence East to the NE corner of said quarter section which is present Brent City Limit line, thence South along present City Limit line to SE corner of said quarter section, thence East along present City Limit line to NE corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 16, thence South to the NW corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, thence East to NE corner of said quarter section, thence South along quarter section line to SE corner of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 28, thence West to SW corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 28, thence North along West boundary of said quarter section to NW corner of Section 28, Township 23 North, Range 9 East, the point of beginning.

PARCEL NO. 5

Begin at the SW corner of Section 15, Township 23 North, Range 9 East, thence East along the South boundary of said section to the SE corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 15, thence North along East boundary of said quarter section to NE corner of said quarter section, thence East to the SE Corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 15, thence North along East boundary of said quarter section to the NE corner, thence West to the NW corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15, thence South to the SW corner of said quarter section, thence West to the NW corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16, thence South along the West boundary of said quarter section to the SW corner of said quarter section, thence East along South boundary of Section 16 to the point of beginning.

PARCEL NO. 6

Begin at the NW corner of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Township 23 North, Range 9 East, thence South along half section line to SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 22, thence East along section line for a distance of 680', thence North parallel to West boundary of said quarter section to intersection of North boundary, thence East along North boundary of said quarter section to the SE corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 22, thence North along quarter section line to the NE corner of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, thence West along North boundary of said quarter section to the NW corner which is the point of beginning.

All of the above being located and situated in Bibb County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, June 17, June 24, and July 1, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 1, 1971.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. O'Daniel:

H. 1177. To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or other like governing body of Elmore County shall provide compensation for such clerks, assistants and deputies of the sheriff of Elmore County in such number as may be necessary for the efficient conduct of his office. The sheriff shall appoint his own deputies, clerks, and assistants and shall fix their compensation subject to the approval of the county commission or other like governing body as to number and rate of pay.

Section 2. The county commission or other like governing body of Elmore County shall provide the sheriff with all necessary supplies, materials and equipment needed for the efficient enforcement of the laws in the county and for the efficient operation of the sheriff's office including motor vehicles, communications equipment and all materials and accessories necessary for their operation.

Section 3. The sheriff and his deputies shall not be entitled to collect or retain any mileage allowances as may be payable according to law for returning or transferring prisoners and insane persons to and from points outside the County of Elmore while using the vehicle or vehicles furnished by the county.

Section 4. All fees derived from the sale of pistol permits shall be paid into the county treasury and credited to the sheriff's depart-

ment and used by the county commission to purchase equipment, materials supplies as needed by the sheriff's department upon written requisition of the sheriff.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8, April 15, April 22, and April 29, all in the year 1971.

JOHN P. HARRIS.

Sworn to and subscribed before me April 29, 1971.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Barkett:

H. 1178. To repeal Act No. 242, H. 921, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344), entitled, "An Act To apply in all counties having populations of not less than 31,000 nor more than 32,000; authorizing nighttime hunting of raccoons with rifle or shotgun; repealing conflicting laws."

Also:

By Mr. Barkett:

H. 1179. To repeal Act No. 125, H. 275, approved, July 10, 1963, Regular Session 1963 (Acts 1963, p. 500), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000 according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties."

Also:

By Mr. Barkett:

H. 1180. To repeal Act No. 1195, H. 1434, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2234), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties."

Also:

By Mr. Barkett:

H. 1181. To amend the title and Section 1 of Act No. 126, H. 365, Regular Session 1967, (Acts 1967, p. 463), which provides for dividing any voting precinct into territories; designating voting centers in such territories; and providing for the operation of such voting centers in certain counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1182. To amend the title and Section 1 of Act No. 469, H. 562, Regular Session 1967, (Acts 1967, p. 1161), which fixed the compensation of the deputy sheriffs in certain counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1183. To amend the title and Section 1 of Act No. 358, H. 362, Special Session 1966, (Acts 1966, p. 498), which authorized the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect in certain counties classified on a population basis.

Also:

By Mr. Barkett:

H. 1184. To amend the title and Section 1 of Act No. 470, H. 563, Regular Session, 1967, (Acts 1967, p. 470), which provided for fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1102, 1149, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183 and 1184. To the Committee on Local Legislation No. 1.

(The above bill, H. 1149, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 836. To provide for the issuance of distinctive motor vehicle license plates or tags to active members of volunteer rescue squads

and volunteer fire departments, upon the payment of an additional sum, for use by such persons upon one personally owned vehicle in lieu of the standard plate or tag now required; to prescribe the manner of issuing such tags and to regulate their use; to provide that the provisions of this act are supplementary to state motor vehicle licensing laws.

Also:

By Messrs. Turner, Lyons and Cottingham:

H. 774. To amend further Section 3 of Act No. 402, General Acts 1945, page 624, entitled "An Act relating to Aeronautics; providing for the promotion, encouragement, development and regulation thereof within this State; creating a State Department of Aeronautics consisting of a State Aeronautics Commission and a Director of Aeronautics; prescribing their respective duties and powers; providing for the transfer from the Alabama Aviation Commission to the Department of Aeronautics all properties, personnel and funds held by, and all matters and subjects handled by, said Aviation Commission; providing for an Aeronautics Department fund and an Airport Development Fund and making appropriations therefor; prescribing penalties and making uniform the law with reference to state development and regulation of aeronautics, as last amended.

Also:

By Messrs. Falkenburg, Erdreich, Parker (H), Timmons, Dill, Jones (E), Wood and Roberts:

H. 631. To amend Act No. 408, H. 111, Regular Session 1969 (Acts 1969, p. 796), which prohibits the sale, delivery or display of certain material to minors, and provides for the enforcement of the act; so as to exempt certain persons from the provisions of said act.

Also:

By Messrs. Harris, Taylor, Jones (F) and Straiton:

H. 703. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 836, 631 and 703. To the Committee on Judiciary.

H. B. 774. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 42. ENDORSING THE PROPOSAL OF SENATOR HARRY F. BYRD TO REQUIRE THE RECONFIRMATION OF FEDERAL JUDGES AT REGULAR INTERVALS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Doss, Falkenburg, Ellis, Cherner, Erdreich, Gloor, Adwell, Meeks, Boutwell, Bowers, Waggoner, Parker (H), Dill, Jones (E), Timmons, Wallace, Gafford, McBride and Weeks:

H. J. R. 99. MOURNING THE DEATH OF CHARLES EDMUND HARRISON.

Also:

By Mr. May:

H. J. R. 98. CONGRATULATING WALTER LEWIS, JR., FOR WINNING THE PUNT, PASS AND KICK NATIONAL TITLE.

Also:

By Mr. McCluskey:

H. J. R. 100. CONGRATULATING MIKE BRASWELL FOR WINNING THE PUNT, PASS AND KICK NATIONAL TITLE.

Also:

By Messrs. Ellis, Gafford, Weeks, Dill, Wallace, Bowers, McBride, Boutwell, Parker (H), Boles, Meeks, Waggoner, Adwell, Erdreich, Jones (E), Timmons, Falkenburg, Gloor, Cherner, Doss:

H. J. R. 101. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 99, 98, 100 and 101, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 47. NAMING THE ATHLETIC FIELDS AT ALEXANDER CITY STATE JUNIOR COLLEGE IN HONOR OF COLONEL WILLIAM P. DEJARNETTE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hardin and Bassett:

H. J. R. 108. MOURNING THE DEATH OF DREXEL RUSHING.

WHEREAS Drexel Rushing, Age 41 and a citizen of the city of Luverne, Alabama, was killed on July 8, 1971, while active in the line of duty; and

WHEREAS Drexel Rushing had completed seven years of outstanding and courageous service to the citizens of Luverne; and

WHEREAS the Police Department of the city of Luverne acknowledges the dedication and bravery exemplified by Drexel Rushing; and

WHEREAS he is greatly mourned by his friends in the city of Luverne and especially by his wife and children; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of this outstanding man and do pass this resolution as a memorial to his exemplary life, his bravery and his service to his fellowman.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to his wife.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 108, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Easters:

H. J. R. 106. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library at Enterprise State Junior College be named and known as William Elbert Snuggs Library, as a fitting tribute to William Elbert Snuggs who rendered outstanding service to Coffee County and the State of Alabama as principal of Enterprise High School and who was President of the Alabama Education Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 106, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Easters:

H. J. R. 105. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Science Building at Enterprise State Junior College be named and known as Louie H. Sessions Hall, as a fitting tribute to Louie Horatio Sessions who faithfully served on the Enterprise Board of Education for forty years, a majority of the time as its chairman, contributing in many ways to the growth and progress of the City of Enterprise and the surrounding area.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 105, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Easters:

H. J. R. 104. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Student Center at Enterprise State Junior College be named and known as Lurleen B. Wallace Student Center, as a fitting tribute to the late Governor Lurleen Burns Wallace for her untold contributions to education and related humane activities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 104, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

RECESS

At 9:45 A. M., on motion of Mr. Foshee, the Senate took a recess until 12 o'clock Noon.

AFTERNOON SESSION
NINETEENTH LEGISLATIVE DAY

WEDNESDAY, JULY 21, 1971

The Senate reassembled at 12 o'clock Noon, Lieutenant Governor Beasley presiding.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Jones, Pierce and Foshee:

S. 850. To provide for the creation of an Auburn University School of Nursing to be located in Montgomery, Alabama.

Committee on Finance and Taxation.

By Mr. Dozier:

S. 851. To apply in all counties having populations of not less than 11,500 nor more than 12,500, providing clerk-hire allowances for certain county officers.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 852. To propose an amendment to Section 70 of Article 4 of the Constitution of Alabama, which relates to bills proposing Acts for raising state revenue.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Wilson:

S. 853. To amend Section 18 of Act No. 78, S. 72, 1961 Special Session of the Alabama Legislature (Acts 1961, v. 2, p. 1967) which provides for the dispensing of examinations for licenses of cosmetologists where the applicant is licensed in another state so as to dispense with examinations for licenses of cosmetologists where the applicant is licensed in counties having a population of 600,000 or more which are not subject to the provisions of this chapter.

Committee on Local Legislation No. 2.

By Mr. Wilson:

S. 854. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. On all actions, suits, cases and proceedings hereafter filed in the Inferior Court of Walker County, there shall be charged a trial fee of five dollars, which shall be collected as other costs are collected and paid into the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Wilson:

S. 855. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. All employees of Walker County whose compensation is paid entirely by the county shall become members of and participants in the State Employees' Retirement System in the manner and according to the procedure prescribed in Act No. 515, H. 33, Regular Session 1945 (General Acts 1945, p. 734) as amended; and the Walker County Commission, shall, within six months from the effective date of this Act, adopt such resolutions, make such agreements, and take such action as may be necessary to effectuate the purposes of this Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Wilson:

S. 856. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 857. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the Inferior Court of Walker County shall receive in addition to all other compensation now, or hereafter provided by law, an expense allowance of \$150 per month. Such allowance shall be paid out of the general funds of the county as prescribed by law.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Malone:

S. 858. To provide that the presiding officer of the county commission of all counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census shall be officially known and designated as the Chairman of the County Commission.

Committee on Local Legislation No. 1.

By Mr. Cook:

S. 859. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers in this State and may exercise such powers anywhere within the State.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 860. To amend Section 301 (17) F. of Title 48, Code of Alabama (1940), which places the burden of proof upon the carrier when proposing a change in any rate, fare, charge or classification, rule, regulation or practice.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 861. To amend Section 13 of Title 48, Code of Alabama (1940), to provide for a Peoples' Public Service Attorney and Administrative Assistants to the Commissioners.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 862. To amend Section 301 (2a), Code of Alabama (1940), excluding certain carriers from the operation and provision of Title 48, Section 301.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 863. To amend Section 76 of Title 48, Code of Alabama (1940), to specify a time within which a party may apply for a rehearing before the Commission.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 864. To amend further Section 12 of Title 48, Code of Alabama, (1940), which fixes the compensation of the president and associate members of the Alabama Public Service Commission, and to provide retirement payments for members of the Alabama Public Service Commission.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Cook:

S. 865. To amend Section 301 (16) B of Title 48, Code of Alabama (1940), fixing the amount of the collect-on-delivery bond to be filed with the Commission by certain carriers.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Wilder:

S. 866. To amend Section 11 of Act No. 986, S. 77, Regular Session, 1969, (Acts, 1969, p. 1734) which Act relates to the licensing of nursing home administrators, by revising the method of renewal.

Committee on Health.

By Messrs. Lybrand, Harris, Bailes, Edington and Fine:

S. 867. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Committee on Finance and Taxation.

By Messrs. Harris and Lybrand:

S. 868. To amend Sections 2 and 6 of Act Number 771 H. 796 Regular Session, 1969 (Acts 1969-70 page 1373) an act to provide for the control and disposal of solid wastes so as to provide the method of obtaining an exemption and to provide a penalty for failing to pay fees and charges and rates for providing services.

Committee on Commerce, Transportation
and Common Carriers.

By Messrs. Clark, Wilder, Lindsey, Pelham, Gilmore, Givhan, Wilson, Littleton and Noonan:

S. 869. To require all departments, bureaus, boards, commissions and agencies of the state government to keep all state funds on deposit in the state treasury; to expressly prohibit the opening or maintaining of bank accounts for the deposit of state funds by such departments, bureaus, boards, commissions and agencies of the state government and to provide for certain exceptions to such act.

Committee on Banking.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Parker (T), Robertson, McCorquodale, Roberts, Culver and Collins:

H. J. R. 107. COMMENDING SPEAKER SAGE LYONS

WHEREAS our distinguished Speaker, the Honorable Sage Lyons, presides over the House of Representatives with extraordinary patience and complete fairness and impartiality; and

WHEREAS Speaker Lyons performs the duties of his office with outstanding ability and with such dedication to purpose as to be an inspiration to each member of this body; and

WHEREAS Speaker Lyons is a gentleman who is admirably equipped by training, education, experience and natural temperament to be a leader of men; having been born in Mobile, the descendant

of families long prominent in the history of this state, he attended schools in that city, was subsequently graduated from Washington and Lee University and the University of Alabama School of Law, since which time he has successfully engaged in the practice of law in Mobile and been active in the promotion of effective programs for the betterment of state and local government; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we warmly commend Speaker Lyons for the responsible leadership which he has consistently exhibited in the performance of the functions of his office. We are deeply appreciative of the fair and thoughtful consideration which he affords to each legislative proposal and we assure him that we are ever mindful of the many kindnesses and courtesies extended to the individual members of the House.

BE IT FURTHER RESOLVED That Speaker Lyons be furnished with a copy of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 107, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca (with amendment):

S. 9. Relating to crimes and offenses; prohibiting the concealment of material facts or the making of certain false statements or writings in matters within the jurisdiction of any department or agency of this State; prescribing penalties.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Vacca, King and Dominick (with substitute):

S. 51. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

By Messrs. Lindsey and Pelham (with substitute):

S. 425. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain ad-

ministrative expenses in the general office and in the prisons and institutions under his supervision.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edington:

S. 518. Authorizing consent to legally authorized medical, dental, health and mental health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

By Mr. Edington:

S. 490. To amend Title 51, Section 223 Code of Alabama, 1940 so as to exempt tax collectors from filing an itemized report on the First day of January of each year and remitting five days thereafter.

By Mr. Cooper:

S. 284. Relating to the total rehabilitation of certain persons both male and female convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections.

By Mr. Owens:

H. 5. To regulate further the rates to be charged for publication of legal notices by amending further Code of Alabama 1940, Title 7, Section 718, as amended; and by amending further Act No. 793, S. 117, Regular Session 1953 (Acts 1953, p. 1086), as amended.

By Mr. Owens:

H. 6. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

By Messrs. Merrill and Pruitt:

H. 10. To amend Section 29, Title 34, Code of Alabama, 1940, as amended, relating to proof of plaintiff's residency when a defendant is a non-resident.

By Messrs. Merrill and Pruitt:

H. 11. To repeal Section 27 of Title 34 of the Code of Alabama, 1940, which provides further for the alleging and providing of twelve months residence in divorce cases.

By Messrs. Stewart, Merrill and Burgess:

H. 21. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

By Messrs. Erdreich and Boutwell:

H. 65. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

By Messrs. Erdreich and Boutwell:

H. 66. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

By Messrs. Ellis, Owens and Cauthen:

H. 82. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position and use of such device, and to provide a penalty for any violation of the requirements of this Act.

By Messrs. Ellis, Owens and Cauthen:

H. 83. To require riders and passengers on motorcycles, motor driven cycles or motor scooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

By Messrs. Ellis, Owens and Cauthen:

H. 85. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

By Messrs. Ellis, Owens and Cauthen:

H. 86. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been cancelled, suspended, or revoked.

By Mr. Downing et al:

H. 127. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Downing, Dill and Roberts:

H. 128. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

By Mr. Smith (P):

H. 181. To amend the title and Section 1 of Act No. 1125, S. 369, Regular Session 1969 (Acts 1969, p. 2084), which act authorizes and provides for appointment of police officers to maintain law and order at state colleges and universities, so as to authorize the employment of such officers at the Alabama Institute for Deaf and Blind.

By Mr. Gloor et al:

H. 208. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

By Mr. Wood et al:

H. 256. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

By Mr. Hill et al:

H. 343. To repeal Sections 22, 23, and 25 of Title 13, Code of Alabama 1940 and Section 7 of Act 987, Regular Session, 1969, all of which relate to the submission of cases in the appellate courts of the state.

By Mr. Nettles et al:

H. 437. To provide for a comprehensive land management and use program in flood-prone areas of this state so as to make flood insurance available under the National Flood Insurance Act of 1968; to declare the public need for such program; to define terms; to authorize and require the county governing body in each county to prescribe criteria for land management and use in such areas, including control measures, subdivision planning requirements, building and health code requirements; to require certain permits prior to commencing construction; and to prescribe penalties for violations.

By Mr. Casey:

H. 471. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

By Mr. Carnes et al:

H. 529. To amend Section 55, Title 30, Code of Alabama 1940, which relates to the grounds for challenging jurors for cause.

By Mr. Bowers et al:

H. 530. To amend Section 210 of Title 13 of the 1940 Code of Alabama which relates to the appointment, term and removal of registers of circuit courts.

By Mr. Meeks et al:

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROBATE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby (with amendment):

S. 206. To authorize state, county and municipal employees to organize for collective bargaining purposes; to allow the state, counties, municipalities and their agents to recognize employee organizations and designated bargaining units, and to negotiate with such bargaining units as to certain working conditions; to provide for designation and composition of the bargaining units by the State Department of Labor; to provide for arbitration of disputed matters; to prohibit the right to strike; and to repeal conflicting laws.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Weaver and Pelham:

S. 474. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for non-compliance, all pertaining to the Workmen's Compensation Law.

By Mr. Pelham:

S. 443. To prohibit any public utility or its affiliate from engaging, directly or indirectly, in promotional practices as defined in this Act in or in connection with the promotion or sale of any appliance or equipment which consumes or utilizes electric energy or gas energy; to define words and terms used in this Act; to provide penalties for the violation of this Act; and to provide injunctive relief for the enforcement of this Act.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gilmore:

S. 811. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 90. Commending Julian Newman.

Also:

H. J. R. 97. Welcoming the Wandering Wheels to Alabama.

were again read and, on motion of Mr. Pelham, were adopted by the Senate.

RESOLUTION

Messrs. Horne, Pierce, Dozier and Lindsey offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. WHEREAS, the Capital City Jaycees, as a community development project, have agreed with Troy University and Livingston University to sponsor the First Annual Capital City Bowl to be played at Cramton Bowl, Montgomery, Alabama, on Saturday September 25, 1971; and

WHEREAS, the interest in the competition between the two named and highly respected Alabama small college football powers is state-wide and indicative of the importance placed on the value of inter-collegiate athletics in the State of Alabama; and

WHEREAS, the Capital City Jaycees have pledged the proceeds of the Capital City Bowl, less expenses, to the Montgomery Association for Retarded Children, thereby helping to provide much needed support and encouragement toward educating the retarded in the Montgomery Area; and

WHEREAS, the Legislature of the State of Alabama is vitally concerned and interested in the welfare of Alabama's Retarded Children, the promotion of sound physical education and fitness programs, the continued progress and development of intercollegiate football and the fine work of the Jaycees,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Alabama that Saturday September 25, 1971, be declared Capital City Bowl Day throughout Alabama and that all Alabamians are encouraged to go "bowling" with the Capital City Jaycees, Troy and Livingston Universities and the Montgomery Association for Retarded Children.

Which was read and referred to the Standing Committee on Rules.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Wilson, further consideration of the Bill, S. B. 226, was indefinitely postponed by the Senate.

On motion of Mr. Givhan, further consideration of the Bill, S. B. 166, was indefinitely postponed by the Senate.

On motion of Mr. Lybrand, further consideration of the Bill, S. B. 314, was indefinitely postponed by the Senate.

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Fine, further consideration of the Bill, S. B. 204, was postponed until the Twenty-third Legislative Day.

On motion of Mr. Edington, further consideration of the Bill, S. B. 257, was postponed until the Twenty-third Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 289. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen
Branyon	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Register
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Weaver
Dozier	Horne	Noonan	Wilder
Edington	Jones	O'Bannon	Wilson

—31

Nay: Mr. Bailes

—1

The Bill:

H. 52. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pelham
Branyon	Gilmore	Lindsey	Register
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Dozier	Hawkins	Malone	Wilder
Edington	Horne	Noonan	Wilson

—31

Nays:

—0

The Bill:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political sub-

divisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—33

Nays: —0

The Bill:

S. 307. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	Malone	Vacca
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—33

Nays: —0

The Bill:

S. 282. To authorize the director of the Legislative Reference Service to employ additional temporary staff members and clerical help either subject to the provisions of the merit system law or without regard to the provisions thereof, under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	Malone	Vacca
Dominick	Harris	Noonan	Wilder
Dozier	Hawkins	O'Bannon	Wilson

—31

Nays: Messrs. Carr, Lybrand

—2

The Bill:

S. 283. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 1.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Clark	Gilmore	Littleton	Register
Cook	Givhan	McLain	Shelby
Cooper	Hammond	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—31

Nay: Mr. Carr

—1

The Bill:

S. 178. To authorize the Secretary-Treasurer of the Employees Retirement System to withhold from the retirement pay of any retired State employee the premium on any hospitalization or health group insurance plan.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon		—34

Nays:

—0

The Bill:

S. 179. To appropriate from any funds not otherwise appropriated the sum of Four Hundred Dollars (\$400.00) to pay printing expenses of the Senate incurred in fiscal year ending September 30, 1969.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne	O'Bannon		—34

Nays:

—0

The Bill:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer when traveling within the State of Alabama on business of the State.

was taken up.

Mr. Wilder offered the following amendment to the Bill, S. B. 212, to-wit:

AMENDMENT TO S. B. 212

Amend Senate Bill No. 212 as follows:

In the title or caption of said bill immediately following the word "Treasurer" and immediately preceding the word "when", insert therein the following words: and the Commissioner of Agriculture and Industries

In Section 1 of said bill strike out the comma (,) which is immediately after the word "Treasurer" and insert in lieu thereof the following words: and the Commissioner of Agriculture and Industries,

In Section 2 of said bill, strike out the period (.) at the end of said Section and add thereto the following words: for travel expense

reimbursements to said officer, and the travel expense reimbursements authorized hereunder to be paid to the Commissioner of Agriculture and Industries shall be paid from funds appropriated to the Department of Agriculture and Industries.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Pierce
Branyon	Fine	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dominick	Horne	Noonan	Wilson

—31

Nays:

—0

And said Bill, S. B. 212, as thus amended, was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	Lybrand	Shelby
Cooper	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Weaver
Dozier	Horne	Noonan	Wilder
Edington	Jones	O'Bannon	Wilson
Fine			

—32

Nays:

—0

The Bill:

S. 5. To provide sales and use tax exemptions for certain medicines purchased by prescription.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 5, to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL 5

A BILL TO BE ENTITLED AN ACT

To provide sales and use tax exemptions for certain medicines purchased by prescription.

Be It Enacted by the Legislature of Alabama:

Section 1. The gross proceeds of the sale or sales of all medicines prescribed by physicians for either internal or external use and purchased by prescription order or orders filled by licensed pharmacists

shall be exempted from the computation of the amount of tax lexied, assessed or payable under the provisions of the state sales tax law, Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, or under any county or municipal sales tax law; and all such medicines shall likewise be exempted from the operation of the state use tax law levied by Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, or by any municipal or county use tax law. The exemptions provided in this Act shall not apply to any medicine purchased in any manner other than as herein provided.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 33; Nays 1.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	McLain	Shelby
Clark	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—33

Nay: Mr. Harris

—1

Mr. Wilder moved that the Bill, S. B. 5, as amended by the substitute, be postponed until the Twenty-fifth Legislative Day.

Mr. Lybrand moved as a substitute motion that further consideration of the Bill, S. B. 5, as amended, be postponed until the next Legislative Day, which motion was adopted.

The Bill:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 154, to-wit:

AMENDMENT TO S. B. 154

Amend by adding the following sub-section immediately following Section 1 B:

- "C. To the John C. Calhoun Junior College in Limestone County, for the purchase of library books \$ 75,000.00
- D. To the George C. Wallace Junior College in Selma, for the purchase of library books \$ 75,000.00
- E. To the Jefferson State Junior College in Birmingham, for the purchase of library books \$ 75,000.00"

On motion of Mr. Wilder, further consideration of the Bill, S. B. 154, and pending amendment, was postponed until the next Legislative Day.

The Bill:

S. 180. To provide for payment of travel expenses of members of the Legislature when traveling within the State of Alabama on business of the Legislature or any of its committees, sub-committees or legislative departments.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Branyon	Foshee	Littleton	Pelham
Clark	Gilmore	Lybrand	Pierce
Cooper	Givhan	McLain	Vacca
Dominick	Hammond	Malone	Wilder
Dozier	Harris	Noonan	Wilson

—27

Nays:

Messrs.:	Carr	Hawkins	Jones
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—3

The Bill:

S. 49. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Gilmore	Lindsey	Pierce
Carr	Givhan	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier			

—28

Nays:

—0

The Bill:

S. 42. To amend Section 28 G, Act No. 91, 1969 Special Session of the Alabama Legislature, (Acts of 1969, p. 136) in order to provide that an appropriation for the fiscal year ending September 30, 1970, "For the construction of a high school at Fayette" be changed to read "For the construction of a school, schools, or other educational facilities in Fayette County"; to make the provisions of this Act retroactive to the effective date of the original Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cooper	Hammond	McLain	Vacca
Dominick	Harris	Malone	Weaver
Dozier	Hawkins	Noonan	Wilder

—31

Nays:

—0

RESOLUTION

Messrs. Pierce, Jones, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 55. Extending Best Wishes to Mr. Neal H. Chandler on his retirement from the Capitol Patrol.

And said resolution was read and ordered to lay over on the Secretary's desk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 315. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member bank of the Federal Reserve System, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lindsey	Pelham
Branyon	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Vacca
Clark	Gilmore	McLain	Weaver
Cook	Hammond	Malone	Wilder
Cooper	Harris	Noonan	Wilson
Dominick	Hawkins		

—29

Nays:

—0

The Bill:

S. 171. Authorizing consent to legally authorized medical, dental and health services by some minors, minor parents and others and not requiring consent under certain circumstances or conditions and providing indemnity from damages by persons relying on these consents.

was taken up.

Mr. O'Bannon offered the following amendment to the Bill, S. B. 171, to-wit:

AMENDMENT TO S. B. 171

Amend Section 7 (1) of S. B. 171 as follows:

Add the word "not" between the words "professes" and "to" and strike the word "not" between the words "is" and "a".

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—33

Nays:

—0

And said Bill, S. B. 171, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson

—31

Nays:

—0

The Bill:

S. 272. To authorize incorporated municipalities to employ on a parttime basis regular deputy sheriffs to serve as policemen.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Register	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Hawkins	Noonan		—30

Nays:

—0

The Bill:

S. 172. To amend Section 270 of Title 22 of the Code of Alabama 1940, Recompiled 1958 to provide for medical treatment of minors with venereal disease.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Wilder	
Cooper	Hammond	Noonan	Wilson	
Dominick	Harris	O'Bannon		—30

Nays:

—0

MOTION TO ADJOURN LOST

At 4 o'clock P. M., Mr. Cooper moved that the Senate adjourn until Thursday, July 22, 1971 at 12 o'clock Noon, which motion was lost.

Yeas 5; Nays 28.

Yeas:

Messrs.:	Cooper	Hammond	King	
Cook	Givhan			—5

Nays:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	Lindsey	Pelham	Wilson	
Edington				—28

BILLS ON THIRD READING RESUMED

The Bill:

S. 341. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide

for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

was taken up.

ADJOURNMENT

At 4:12 P. M., on motion of Mr. Carr, and pending further consideration of the Bill, S. B. 341, the Senate adjourned until Thursday, July 22, 1971.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon	
Bailes	Edington	Littleton	Pelham	
Carr	Foshee	McLain	Register	
Clark	Gilmore	Malone	Shelby	
Dominick	Givhan			—17

Nays:

Messrs.:	Harris	Lybrand	Vacca	
Branyon	Jones	Noonan	Weaver	
Cook	King	Owen	Wilder	
Cooper	Lindsey	Pierce	Wilson	
Fine				—16

TWENTIETH LEGISLATIVE DAY

THURSDAY, JULY 22, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles M. Langford, Associate Minister, First United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 287. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

Also:

S. 136. To amend further Act No. 663, S. 132, of the Regular Session 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

S. 137. To amend further Act No. 664, S. 133 of the Regular Session 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to provide for minimum compensation to be paid to election officers.

Also:

S. 140. To amend further Act No. 663, S. 132, of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to authorize the holding of special elections on the second or fourth Tuesday of any month.

Also:

S. 141. To amend further Act No. 664, S. 133, of the Regular Session of 1961 (Acts of Alabama 1961, p. 868), as amended, which provides for and regulates elections in cities and towns of 300,000 population or less which have a commission form of government so as to authorize the holding of special elections on the second or fourth Tuesdays of any month.

Also:

S. 142. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

S. 143. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 144. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

S. 361. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment of additional expense allowances of members of the county commissions or like governing body of such counties.

Also:

S. 378. To provide that the Sheriff of counties having a population of not less than 54,500 nor more than 56,000 according to the 1970 Federal Census, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Also:

S. J. R. 42. Endorsing the proposal of Senator Harry F. Byrd to require the reconfirmation of Federal Judges at regular intervals.

Also:

S. J. R. 47. Naming the athletic fields at Alexander City State Junior College in honor of Colonel William P. DeJarnette.

Also:

S. J. R. 50. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 35. Congratulating Miss Kitty Winn upon being named best actress at the recent International Film Festival in Cannes, France.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 870. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594 General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and to appropriate the funds for carrying out the provisions of this act.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 871. To provide a full time Deputy District Attorney for the District Attorney of the Fourteenth Judicial Circuit of Alabama and to fix his duties and salary.

Committee on Finance and Taxation.

By Mr. Shelby:

S. 872. Relating to Mental Health, authorizing and requiring the Governor to execute the Interstate Mental Health Compact with the advance approval and ratification by the Legislature.

Committee on Health.

By Mr. Shelby:

S. 873. To amend Code of Alabama 1940, Title 7, Section 1059 relating to restraining orders to authorize issuance of such order without notice to the adverse party, only under certain conditions.

Committee on Judiciary.

By Mr. Shelby:

S. 874. To amend Code of Alabama 1940, Title 7, Section 1054 relating to setting for hearing application for issuance of injunction, providing for issuance of such order without notice to the adverse party only under certain conditions.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

S. 619. Establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees and certain judicial officers in the area of possible conflict between their private interests and official duties; creating and establishing the Alabama Ethics Commission; providing for the appointment, term, compensation, duties and authority of members of such commission; specifically authorizing such commission to render advisory opinions relative to the applicability of this act.

By Messrs. Horne and Register:

S. 459. To provide for the creation of a department of the State to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the organization of a public corporation in the State of Alabama to be known as Alabama Youth Services Board; to designate the officers and members of the board of directors of the Board; to prescribe the powers and duties of the Board; to provide for the transfer of control of residential foster care facilities, juvenile court probation officers, youths, and youth detention facilities; to provide for the appointment of a State Youth Services Director and to prescribe penalties for the violation of this act; to provide court review of the decisions of the Board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical and dental care for youths; to provide for the treatment and disposition of youths in the custody of the Board or the department; and to provide for the dissolution of the Board.

By Mr. Pelham:

S. 542. To amend Section 1 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to include enforcement officers of conservation laws within the provisions of said Act.

By Mr. Clark:

S. 684. To create the Governor's Mansion Advisory Board, hereinafter referred to as Advisory Board, to define its duties with regard to the furnishing, refurbishing and up keep of the Governor's Mansion, and to make an appropriation therefor.

By Mr. Clark:

S. 686. To authorize and direct the State Capitol Preservation Commission to organize, supervise, conduct and make a report of and recommendations based on a thorough and complete study of the State Capitol, its history, its architecture and its structural condition, with a view toward determining whether the public safety is endangered by its condition and the feasibility of restoring the central portion thereof to its 1851-1861 condition, of restoring other portions thereof to their original condition or their condition in some other appropriate

era and also determining the most suitable and appropriate use to be made of such restored portion or portions of the Capitol; and to make an appropriation therefor.

By Mr. Clark:

S. 683. To confer additional powers on public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted, or as at any time amended; to authorize any such public corporation to acquire, construct, improve and lease to others shopping center projects; and to prescribe the conditions under which the powers conferred on such corporations by this act may be exercised.

By Messrs. Pierce and Jones:

S. 460. To further identify creditable years of service under the State Employees' Retirement System.

By Messrs. Cooper, Givhan, Owen, Wilder, Dozier, Lindsey, Branyon, Fine, Foshee, Littleton, Shelby, Register, Pelham and Wilson:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

By Mrs. Wynot:

H. 318. To make a supplemental appropriation to the State Tenure Commission for the fiscal year ending September 30, 1971.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 146. To amend Code of Alabama 1940, Title 25, Section 45, which relates to the form and sale of bonds of county housing authorities, amending such section in relation to the interest rate.

By Messrs. Wilder and Pelham:

S. 421. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham (with substitute):

S. 444. To amend Title 5, Section 133, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham:

S. 726. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Clark, Wilder, Lindsey, Pelham, Gilmore, Givhan, Wilson, Littleton and Noonan (with substitute):

S. 869. To require all departments, bureaus, boards, commissions and agencies of the state government to keep all state funds on deposit in the state treasury; to expressly prohibit the opening or maintaining of bank accounts for the deposit of state funds by such departments, bureaus, boards, commissions and agencies of the state government and to provide for certain exceptions to such act.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute and amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McLain (with substitute) (with amendment):

S. 450. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ellis et al:

H. 755. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 505. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 160,000.

By Mr. Shelby:

S. 648. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

By Mr. Harris:

S. 731. Relating to the provisions of clerks, equipment and supplies for the Probate Judge, Sheriff, Tax Assessor and Tax Collector in counties having a population of not less than 39,500 nor more than 41,750 according to the last federal census.

By Mr. Harris:

S. 733. To provide that certain cities classified according to population, may abate or reduce assessments made for public improvements.

By Mr. Harris:

S. 737. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

By Mr. Harris:

S. 738. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

By Mr. Harris:

S. 739. To amend the Title and Section 1 of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

By Mr. Harris:

S. 740. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

By Mr. Harris:

S. 741. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Mr. Lybrand:

S. 747. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

By Mr. Lybrand:

S. 748. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

By Mr. Lybrand:

S. 749. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; providing for the distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

By Mr. Shelby:

S. 750. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the county courts of such counties.

By Mr. Shelby:

S. 751. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

By Mr. Shelby:

S. 752. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

By Mr. Shelby:

S. 753. To provide an assistant coroner for counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last federal census.

By Mr. Shelby:

S. 756. To fix the compensation of the sheriffs of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent Federal decennial census.

By Mr. Shelby:

S. 757. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

By Mr. Shelby:

S. 758. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

By Mr. Shelby:

S. 759. To apply in all those counties in Alabama having a population of not less than 110,000 and not more than 150,000 inhabitants, according to the latest or any subsequent Federal Decennial Census, and to provide for an appeal to the Circuit Court of such counties by any Attorney at Law convicted in any Recorder's Court, or other Municipal Court, of contempt of such Court, and to provide that no appeal bond in such cases shall be in an amount in excess of \$300.00 and to provide for the approval of any such appeal bond by any Circuit Judge, Probate Judge, or Justice of the Peace in any such county; and to provide for the suspension of any punishment meted out by any such Recorder, or other Municipal Judge, pending the outcome of such appeal and to provide for a trial by jury of such contempt charge, when any such appeal is made, and to repeal all laws or parts of laws in conflict with this act.

By Mr. Shelby:

S. 760. Relating to counties having populations of not less than 110,000 nor more than 150,000, providing for meetings of the board of registrars in such counties.

By Mr. Shelby:

S. 761. Relating to all counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

By Mr. Shelby:

S. 762. Relating to counties having populations of not less than 110,000 nor more than 150,000; regulating the appointment of special constables in such counties in certain cases; repealing conflicting laws.

By Mr. Shelby:

S. 763. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing for regulation of persons engaged in the business of selling money orders and other like instruments in such counties.

By Mr. Shelby:

S. 764. To apply in all those counties in Alabama having not less than 110,000 population and not more than 150,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

By Mr. Shelby:

S. 765. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for establishment, operation, and financing of educational survey committees in such counties.

By Mr. Shelby:

S. 766. To apply in all counties of this state having a population of not less than 110,000 nor more than 150,000 according to the 1970 or any subsequent decennial census and providing for the bailiff to serve the Inferior Courts of such counties and to provide for the selection of such bailiff, to provide for the payment of the salary of such bailiff, and to provide that while such bailiff is not busy with such Inferior Court for his duties to be to aid the sheriff in serving civil papers in all such counties.

By Mr. Shelby:

S. 767. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

By Mr. Shelby:

S. 768. To regulate further membership on free public library boards in all counties in this State having populations of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for increasing the size of such boards and prescribing the manner of appointment of members thereof.

By Mr. Shelby:

S. 769. Relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

By Mr. Shelby:

S. 770. Relating to municipalities having a population of not less than 60,000 nor more than 80,000, according to the 1970 or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 98. Congratulating Walter Lewis, Jr., for winning the Punt, Pass and Kick National Title.

H. J. R. 99. Mourning the death of Charles Edmund Harrison.

H. J. R. 100. Congratulating Mike Braswell for Winning the Punt, Pass and Kick National Title.

H. J. R. 101. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

H. J. R. 104. Naming the Student Center at Enterprise State Junior College the Lurleen B. Wallace Student Center.

H. J. R. 105. Naming the Science Building at Enterprise State Junior College the Louie H. Sessions Hall.

H. J. R. 106. Naming the Library at Enterprise State Junior College the William Elbert Snuggs Library.

H. J. R. 107. Commending Speaker Sage Lyons.

H. J. R. 108. Mourning the death of Drexel Rushing.

S. J. R. 55. Extending best wishes to Mr. Neal H. Chandler on his retirement from the Capitol Patrol.

were again read and, on motion of Mr. Pelham, were adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate

Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 212. To provide for payment of actual necessary travel expense of the State Treasurer and the Commissioner of Agriculture and Industries when traveling within the State of Alabama on business of the State.

JAMES S. CLARK,
Chairman.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 341. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Mr. Dominick offered the following amendment to the Bill, S. B. 341, to-wit:

AMENDMENT TO SENATE BILL 341

Amend subsection (f) of Section 17 of Senate Bill 341 by striking the first and last sentences therein and by substituting in lieu of the first sentence the following:

"The issuance of a citation shall not be a condition precedent to the commencement of action under subsection (a) hereof or to the beginning of a prosecution under subsection (d) hereof, however, where a citation has been issued the alleged violator shall be afforded an opportunity to be heard upon said citation before any action or prosecution is commenced hereunder."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Clark	Givhan	Littleton	Shelby
Cook	Hammond	Lybrand	Vacca
Cooper	Harris	McLain	Weaver
Dominick	Hawkins	Noonan	Wilder

—31

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO SENATE BILL 341

Amend Section 8 of Senate Bill 341 by striking subsection (f) therein and substituting in lieu thereof the following:

"(f) The issuance of, or the absence or failure to issue, a rule, regulations or order, or any determination made pursuant to this Section shall not relieve any person from compliance with any emission control requirements or with any other provisions of law."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Malone	
Bailes	Fine	Jones	Noonan	
Branyon	Foshee	King	Owen	
Carr	Gilmore	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick				—28

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO SENATE BILL 341

Amend subsection (a) of Section 12 of Senate Bill 341 by adding a comma after "do not" in the first sentence thereof and by adding "either alone or in conjunction with emissions from other sources," between said comma and the word "endanger" where it first appears therein.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pierce	
Bailes	Fine	King	Register	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Givhan	Littleton	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	Owen		—26

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO SENATE BILL 341

Amend Section 15 of Senate Bill 341 by striking subsections (b), (c), and (d) therein and substituting in lieu thereof the following;

"(b) Subject to the provisions of this Section, each municipal governing body, which had municipal ordinances in effect on or before July 1, 1969, which pertain to air pollution control and which provide for the creation and establishment of an air pollution control board, and each county Board of Health shall have the authority to establish, and thereafter administer, within its jurisdiction a local air pollution control program, which:

(1) Provides, subject to subsection (d) by ordinance, regulation, or resolution, for requirements for the control or prevention of air pollution consistent with those imposed by this Act or the rules, regulations and standards promulgated by the Commission hereunder;

(2) Provides for the enforcement of such requirements by appropriate administrative and judicial process. Each such municipal governing body and each county Board of Health establishing a program hereunder is hereby authorized and required to advertise and adopt all rules and regulations in accordance with the same procedure provided herein for the adoption of said rules, regulations and standards by the Commission, and all judicial remedies provided by this Act shall be available and enforceable by such municipal governing body and by such county Board of Health; and

(3) Provides for administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its program. The Board of County Commissioners of each county, and the council or other governing body of each municipal governing body within the jurisdiction of a local air pollution control program established by a county Board of Health, is hereby authorized to appropriate such sums as it may determine necessary and desirable for the establishment, administration and enforcement of such a program.

(c) No county Board of Health shall have the authority to exercise air pollution control jurisdiction within the bounds of any incorporated municipality or the police jurisdiction thereof having an air pollution control program as herein before authorized.

(d) Any such municipal governing body and each county Board of Health may adopt and enforce any ordinance, regulation, or resolution requiring the control or prevention of air pollution unless the Commission finds within 60 days of such adoption, such ordinance, regulation, or resolution is less strict than those imposed by this Act and regulations issued hereunder, or that such ordinance, regulation, or resolution was not adopted in accordance with procedures consistent with those provided herein; and provided that such municipal governing body or county Board of Health notifies the Commission of the adoption of such ordinance, regulation, or resolution within 15 days of such adoption."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:
Bailes
Branyon
Carr
Clark
Cook
Cooper
Dominick

Dozier
Edington
Fine
Gilmore
Givhan
Hawkins
Horne

Jones
King
Littleton
Lybrand
McLain
Malone
Noonan

Owen
Pierce
Shelby
Vacca
Weaver
Wilder
Wilson

—28

Nays:

—0

Mr. Shelby offered the following amendment to the Bill, S. B. 341, to-wit:

AMENDMENT TO SENATE BILL 341

Senate Bill 341 is hereby amended by inserting the following as Section 19 and renumbering Sections 19, 20, and 21 as they currently exist to Sections 20, 21, and 22 respectively.

All remedies for the prevention and abatement of air pollution given to the Attorney General through the authority of this Act are merely cumulative. Nothing in this Act shall be interpreted as negating or destroying any common law or statutory right, duty, power, or authority of the Attorney General of Alabama.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	Littleton	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Givhan	McLain	Vacca
Clark	Harris	Malone	Weaver
Cook	Hawkins	Noonan	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—29

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO SENATE BILL 341

Amend the second sentence of subsection (j) of Section 17 of Senate Bill 341 by inserting "or" before "any District Attorney" and by deleting the comma after "any District Attorney" and by deleting "or any person" where it appears in said sentence.

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Foshee	Lybrand	Shelby
Carr	Harris	McLain	Weaver
Dominick	Jones	Owen	Wilson
Edington	Lindsey		

—17

Nays:

Messrs.:	Gilmore	Horne	Pelham
Branyon	Givhan	King	Register
Clark	Hammond	Malone	Vacca
Cook	Hawkins	Noonan	Wilder
Dozier			

—16

Mr. Clark offered the following substitute for the Bill, S. B. 341, as amended, to-wit:

SUBSTITUTE FOR S. B. 341

A BILL
TO BE ENTITLED
AN ACT

To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose relative to air pollution; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control boards; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be known and may be cited as the "Alabama Air Pollution Control Act."

Section 2. Declaration of Purpose. The Legislature finds that pollution of the air of this State constitutes a menace to public health and welfare, adversely affects agriculture, business, industry, recreation, climate, and visibility, depresses property values, and offends the senses. It is the purpose of this Act to restore, maintain, and enhance the purity of the air of this State in order to protect health, welfare, property, and the quality of life and to assure that no air contaminants are discharged into the atmosphere without being given the degree of treatment or control necessary to prevent air pollution.

Section 3. Definitions. As used in this Act, the following words and terms shall have the following meanings:

(a) "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as are, or tend to be, injurious to human health or welfare, animal, or plant life or property, or would interfere with the enjoyment of life or property throughout the State and in such territories of the State as shall be affected thereby.

(b) "Air Contaminant" means any solid, liquid, or gaseous matter, any odor, or any combination thereof, from whatever source.

(c) "Commission" means the Air Pollution Control Commission of the State of Alabama established by this Act.

(d) "Person" means the State, any individual, partnership, firm, association, municipality, public or private corporation or institution, political subdivision or agency of the State, including any Environmental Improvement Authority established pursuant to Act No. 1117, Regular Session of 1969 (Gen. Acts 1969, p. 2060), trust, estate, or any other legal entity and any successor, representative, agent, or agency of the foregoing, the United States or any department, agency, or instrumentality of the executive, legislative or judicial branches of the Federal Government.

(e) "Emission" means a release into the outdoor atmosphere of air contaminants.

(f) "Chairman" means the Chairman of the Air Pollution Control Commission of the State of Alabama.

Section 4. The Air Pollution Control Commission.

(a) There is hereby created and established an Air Pollution Control Commission of the State of Alabama, hereinafter referred to as the "Commission" which shall be composed of nine (9) members, three (3) of its members shall be representative of the public, and shall be appointed by the Governor, with the advice and consent of the Senate. Three (3) of its members shall be representatives of public health. One representative of public health shall be the State Health Officer. The remaining two (2) representatives of public health shall be appointed by the Governor, with the advice and consent of the Senate, as follows: Both shall be physicians licensed to practice in this State and currently engaged in the practice of medicine in this State, and each shall be appointed by the Governor. Three of its members shall be representative of industry or manufacturing and shall be appointed by the Governor, with the advice and consent of the Senate, as follows: All three shall be individuals knowledgeable of air pollution control and actively engaged in a management position in industry or manufacturing for at least three years immediately prior to appointment by the Governor. All of the members appointed by the Governor shall have been residents of the State of Alabama for not less than two years prior to their respective appointments.

(b) The term of each member representative of the public and appointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two, three, and four years, respectively, as designated by the Governor at the time of the appointment. The term of each member representative of public health and appointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. The representative of public health not appointed by the Governor, namely the State Health Officer, shall hold office as a member of such Commission so long as he holds office as State Health Officer and until the appointment and qualification of his successor as State Health Officer. The term of each member representative of industry or business shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two, three, and four years, respectively, as designated by the Governor at the time of the appointment. There shall be no limitation on the number of terms any appointed member may serve. If a vacancy occurs in the appointed membership, and upon certification thereof by the Commission, the Governor shall appoint a person to fill the vacancy for the unexpired term of said member with the advice and consent of the Senate. When a Commission member is appointed during a period when the Legislature is not in session to advise and consent, such appointee shall have the full power of the office until and unless the Senate, upon the reconvening of the Legislature, shall, by majority vote, refuse to consent in such appointment. No member of the Commission other than the representatives of industry and manufacturing may be an officer, employee, agent, or stockholder owning five per cent or more of the voting stock of any corporation or organization holding a permit from the Commission for the discharge of air contaminants into the atmosphere, or be an officer, employee,

or agent of any trade association which represents such a corporation or organization.

(c) All of the matters pending before the Air Pollution Control Commission, established pursuant to Act No. 1135, Regular Session of 1969 (Gen. Acts 1969, p. 2100), referred to hereinafter as "former Commission," upon the effective date of this Act shall, upon the effective date of this Act, be transferred to the jurisdiction of the new Commission herein established, and all actions heretofore taken and jurisdiction heretofore exercised by the "former Commission" shall be considered in all respects as having been acts of the new Commission established herein. All books, records, equipment, facilities, funds, allocated to or in its possession (including unexpended appropriations), notes and accounts receivable and all other property of every kind whatsoever of the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, vest in and become the property of the new Commission established herein, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, inure to the benefit of and be binding upon the new Commission established herein, it being the intent of this Act that the new Commission established herein supersede and replace, but continue all business and affairs of the "former Commission."

(d) The State Health Officer shall serve as Chairman of the Commission. The Commission shall elect annually for its membership a Vice Chairman. The Chairman and Vice Chairman shall vote on matters before the Commission as other members.

(e) No salary or compensation shall be paid any member of the Commission for services thereon, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Commission being considered a part of their official duties. Actual and necessary travel, subsistence and other expenses, incurred by members in the discharge of their duties as members of the Commission and as directed or requested by the Commission, shall be paid at the rate allowed other State employees as provided by law from funds which are or may become available for the purpose of this Act.

(f) The Commission shall meet regularly in each calendar quarter of each year, at times and places to be fixed by the Commission. Special meetings may be called at the discretion and upon call of the Chairman and special meetings shall be called by him upon written request of any four members to take up any matters within the jurisdiction of the Commission. All members shall be notified of the time and place of any regular or special meeting.

(g) Five members of the Commission shall constitute a quorum for the transaction of Commission business in both regular and special meetings. No member may designate by proxy or otherwise an alternate representative to attend any meeting of the Commission. The Executive Director, or his representative, shall attend all meetings but shall have no voting power.

(h) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Executive Director and open to public inspection.

(i) The State Health Department shall act as the administrative agency. In addition, the Commission may employ and compensate, with-

in appropriations available therefor, consultants and such assistants and employees as may be necessary to carry out the provisions of this Act and may prescribe their powers and duties. All personnel who are in the employ of or are assigned to the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, become the employees of or assigned to the new Commission established herein. Employees of the Commission shall be employed in accordance with the State merit system.

(j) All departments and agencies of the State are hereby authorized and directed to cooperate with the Commission in order to accomplish the purpose of this Act and are further authorized and directed to obey all rules and regulations and orders issued by the Commission. It is the intent of this subsection that the State Government in the design, operation, and maintenance of its facilities, and activities shall provide leadership in the statewide effort to protect and enhance the quality of our air resources.

Section 5. Rules and Regulations. The Commission, pursuant to procedures prescribed in Section 7 of this Act, may make, adopt, promulgate and enforce rules and regulations to prevent and control air pollution and to promote the purpose of this Act. Without limiting the generality of this authority such regulations, may among other things prescribe:

(a) Ambient air quality standards specifying the maximum permissible short-term and long-term concentrations of various air contaminants in the atmosphere;

(b) Emission standards specifying the maximum amounts or concentrations of various air contaminants that may be discharged into the atmosphere, such standards may be for the State as a whole or may vary from area to area as may be appropriate to accomplish the purpose of this Act;

(c) Standards for the issuance and revocation of permits for construction, installation, or operation of any equipment, facility, vehicle, vessel, or aircraft capable of causing or contributing to air pollution or designed to prevent air pollution;

(d) Standards and conditions regarding the sale, offer, or use of any fuel, or other article determined to contribute to air pollution, or which could contribute to air pollution;

(e) Alert and abatement standards relative to air pollution episodes or emergencies constituting an acute danger to health or to the environment;

(f) Requirements and procedures for the inspection of any equipment, facility, vessel, or aircraft that may cause or contribute to air pollution;

(g) Requirements that the owner or operator of any air contaminant source to establish and maintain such records; make such reports; install, use and maintain such monitoring equipment or methods; sample such emissions in accordance with such methods, at such locations, intervals and procedures as the Commission shall prescribe; and provide such other information as the Commission reasonably may require;

(h) Requirements for making reports containing information as may be required by the Commission concerning location, size and height of contaminant outlets, processes employed, fuels used and the nature and time periods or duration of emissions, and such other information as is relevant to air pollution.

(i) Rules and regulations establishing standards and requirements for the control of air contaminants from moving sources of air contaminants, and providing for periodic inspections and testing, by the Commission, or in cooperation with other State agencies, to enforce compliance with such standards and requirements;

(j) Rules and regulations providing for the payment and collection of reasonable fees for the review of plans and specifications which may be submitted pursuant to Section 6. Such funds received by the Commission pursuant to this section shall be deposited in the State Treasury to the account of the Commission.

(k) Effective and applicable dates, however, unless otherwise specified by the Commission, all rules, regulations, standards, requirements, procedures, orders, resolutions, prohibitions, amendments thereto, or repeal thereof, shall become effective and applicable upon adoption by the Commission.

Section 6. Other Powers and Duties of the Commission. In addition to other powers conferred on it by law, the Commission shall have power to:

(a) Hold hearings relating to any aspect of or matter in the administration of this Act, and in connection therewith, compel the attendance of witnesses and the production of evidence, through subpoena as hereinafter provided.

(b) Issue such orders as may be necessary to effectuate the purposes of this Act and enforce the same by all appropriate administrative and judicial proceedings provided by law.

(c) Require access to records relating to emissions which cause or contribute to air contamination.

(d) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(e) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution in this State.

(f) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this Act.

(g) Encourage and conduct studies, investigations and research relating to air contamination and air pollution and their causes, effects, prevention, abatement and control.

(h) Determine by means of field studies and sampling the degree of air contamination and air pollution in the State and the several parts thereof.

(i) Make continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this State and the several parts thereof, and make recommendations to appropriate public and private bodies with respect thereto.

(j) Collect and disseminate information and conduct educational and training programs relating to air contamination and air pollution.

(k) Advise, consult, contract and cooperate with other agencies of the State, local governments, industries, other states, interstate or interlocal agencies, and the Federal Government, and with interested persons or groups.

(l) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problem which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this Act, rules and regulations in force pursuant thereto, or any other provision of law.

(m) Accept, receive and administer grants or other funds or gifts from public and private agencies, including the Federal Government, for the purpose of carrying out any of the functions of this Act. Such funds received by the Commission pursuant to this section shall be deposited in the State Treasury to the account of the Commission. In addition to the authority to accept, receive and administer grants or other funds from the Federal Government, the Commission is hereby designated as the State air pollution control agency for the purposes of the Federal Clean Air Act, as amended, Public Law 90-148, or any amendments thereto.

(n) Provide for the performance by its officers and employees, in the name of the Commission, of any act or duty necessary or incidental to the administration of this Act.

(o) Provide for the establishment of advisory committees, appointment of the membership of such committees, scope of investigation, and other duties, of such committees. The period of duration of such committees and the terms of members of such committees shall be established by the Commission. No salary or compensation shall be allowed any member of such committees for services thereon. Actual and necessary travel subsistence, and other expenses incurred by members of such Committees in the discharge of their official duties as members of such committees and when approved by the Chairman or the Executive Director, by direction of the Commission, shall be paid at the rate allowed other State employees as provided by law from any funds which are or may become available for the purpose of this Act.

(p) Prohibit the construction, installation, modification, or use of any equipment, device, or other article which it finds may cause or contribute to air pollution or which is intended primarily to prevent or control the emission of air contaminants, unless a permit therefor has been obtained from the Executive Director. The Commission may require that applications for such permits shall be accompanied by plans, specifications, and such other information as it deems necessary. The Commission shall provide for the issuance, suspension, revocation and renewal or any permits which it may require pursuant to this section. No person shall construct, install, modify or use any equipment, device or other article designated by regulation, capable of causing or contributing to air pollution or designed to prevent air pollution without a permit from the Executive Director or in violation of any conditions imposed by such permits.

(q) Require that notice be given to the Executive Director prior to the undertaking of the construction, installation or establishment of particular types or classes of new air contaminant sources specified in its rules and regulations. Within fifteen days of its receipt of such notice, the Executive Director may require, as a condition precedent to the construction, installation or establishment of the air contaminant source or sources covered thereby, the submission of plans, specifications and such other information as he deems necessary in order to determine whether the proposed construction, installation or establishment will be in accord with applicable rules and regulations in force pursuant to this Act. If within ninety days of the receipt of plans, specifica-

tions or other information required pursuant to this subsection the Executive Director determines that the proposed construction, installation or establishment will not be in accord with the requirements of this Act or applicable rules and regulations, he shall issue an order prohibiting the construction, installation or establishment of the air contaminant source or sources. Failure of such an order to issue within the time prescribed herein shall be deemed a determination that the construction, installation or establishment may proceed; provided that it is in accordance with the plans, specifications or other information, if any, required to be submitted. The issuance of, or the absence or failure to issue, a rule, regulation or order, or any determination made pursuant to this subsection shall not relieve any person from compliance with any emission control requirements or with any other provisions of law.

Section 7. Procedures for Adopting Rules and Regulations.

(a) No substantive rules or regulations shall be adopted, amended, or repealed until after a public hearing. At least 21 days prior to the scheduled date of the hearing the Commission shall give notice of such hearing by public advertisement in a newspaper of general circulation in the area of the State concerned of the date, time, place and purpose of such hearing; and make available to any person upon request copies of the proposed rules or regulations, together with summaries of the reasons supporting their adoption.

(b) Any public hearing relating to the adoption, amendment, or repeal of Commission regulations under this section shall be held before a hearing officer, who shall be designated by the Chairman. All such hearings shall be open to the public, and reasonable opportunity to be heard with respect to the subject of the hearing shall be afforded to any person. All testimony taken at the hearing shall be recorded stenographically. The transcript so recorded, and any written submissions to the Commission in relation to such hearings, shall be open to public inspection.

(c) After such hearing the Commission may revise the proposed regulations before adoption in response to testimony made at the hearing, without conducting a further hearing on the revisions.

(d) Any such regulations may make different provisions as required by circumstances or different air contaminant sources and for different geographical area; may apply to sources outside this State causing, contributing to, or threatening environmental damage in Alabama; and may make special provision for alert and abatement standards and procedures respecting occurrences or emergencies of pollution or on other short-term conditions constituting an acute danger to health or to the environment. In promulgating regulations under this Act, the Commission shall take into account the purpose of the Act.

(e) Nothing in this section shall be construed to require a hearing prior to issuance of an emergency order pursuant to Section 8 of this Act.

Section 8. Emergency Procedures.

(a) Any other provisions of law to the contrary notwithstanding, if the Chairman, or in his absence the Executive Director, finds that a condition of air pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the Chairman, or in his absence the Executive Director, shall order persons causing or contributing to the air pollution to reduce or discontinue immediately the emission of all contaminants in accordance with an

emergency procedure plan promulgated by the Commission, and such order shall fix a place and time, not later than twenty-four hours thereafter, for a hearing to be held before the person issuing such order. Not more than twenty-four hours after the commencement of such hearing, and without adjournment thereof, the person issuing such order shall affirm, modify or set aside such order.

(b) Notwithstanding any other provisions of this Act, the Commission, the Executive Director, with the approval of the Chairman of the Commission, or the Attorney General upon receipt of evidence that an air contaminant source or combination of sources (including moving sources) is presenting an imminent and substantial endangerment to the health of persons may commence a suit in the name of the State of Alabama in the Circuit Court, sitting in equity, in the county where the air contaminant source or sources are located, to immediately restrain any person causing or contributing to the alleged endangerment to the health of persons to stop the emission of air contaminants causing or contributing to such endangerment to the health of persons or to take such other action as may be necessary.

(c) Nothing in this section shall be construed to limit any power which the Governor or any other officer may have to declare an emergency and act on the basis of such declaration, if such power is conferred by statute or constitutional provision, or inheres in the office.

(d) In addition to, and without in any way limiting the foregoing, if the State Health Officer, in his capacity as Chairman of the Commission, or any four members of the Commission, determines at any time that air pollution, in any county, locality, place or other area in the State constitutes an emergency risk to the health of those present within said area of the State, and that the resources of the Commission are not sufficient to abate said air pollution, such determination shall be communicated in writing, with the factual findings on which such determination is based, to the Governor, the State Health Officer may delegate in writing to any employee of the Commission the power to make such determination and deliver the same to the Governor in the absence of the State Health Officer from the State. Upon being so advised the Governor may by proclamation declare, as to all or any part of said area mentioned in the aforesaid determination, that an air pollution emergency exists, and upon making such declaration the Governor shall have the following powers which he may exercise in whole or in part by the issuance of an order or orders:

(1) To prohibit, restrict or condition motor vehicle travel of every kind, including trucks and buses, in the area;

(2) To prohibit, restrict or condition the operation of retail, commercial, manufacturing, industrial, or similar activity in the area;

(3) To prohibit, restrict or condition operation of incinerators in the area;

(4) To prohibit, restrict or condition the burning or other consumption of any type of fuel in the area;

(5) To prohibit, restrict or condition the burning of any materials whatsoever in the area;

(6) To prohibit, restrict or condition any and all other activity in the area which contributes or may contribute to the air pollution emergency;

(7) To take such action as may be necessary and proper under the circumstances.

(e) The declaration by proclamation of the Governor of an air pollution emergency and any order issued by the Governor pursuant to such declaration shall be given maximum publicity throughout the State.

(f) Any gubernatorial order may be amended or modified by further gubernatorial orders. Said order or orders shall not require any judicial or other order or confirmation of any type in order to become immediately effective as the legal obligation of all persons, firms, corporations and other entities within the State. Said order shall remain in effect for the duration of time set forth in same, and if no time limit is specified in said order, same shall remain in effect until the Governor declares by further proclamation that the emergency has terminated.

(g) The aforesaid orders of the Governor shall be enforced by such persons or agencies as may be designated by the Governor in the order. Those enforcing any Governor's order shall require no further authority or warrant in executing same than the issuance of the order itself. These authorized to enforce said orders may use such reasonable force as is required in the enforcement thereof, and may take such reasonable steps as are required to assure compliance therewith including, but without limiting the generality of the foregoing, the following:

(1) Entering any property or establishment whatsoever, commercial, industrial, or residential believed, on reasonable cause, to be violating said order (excepting single or double family homes or any dwelling unit within a multiple dwelling unit larger than a double family home) and, if a request does not produce compliance, causing compliance with said order;

(2) Stopping, detouring, rerouting, and prohibiting motor vehicle travel and traffic;

(3) Disconnecting incinerator or other types of combustion facilities;

(4) Terminating all burning activities;

(5) Closing down or restricting the use of any business, commercial, retail, manufacturing, industrial or other establishment.

Where any person authorized to enforce such an order believes on reasonable cause that same is being violated in a single or double family residence or within the dwelling portion of a larger multiple dwelling unit, said residence or dwelling portion thereof may be entered only upon obtaining a search warrant from any magistrate having power to issue same.

(h) Any person, firm, corporation or other entity within this State which violates any Governor's order with knowledge of same shall be punished by a fine of not more than \$100,000.00. Any money so recovered hereunder shall be deposited in the State Treasury to the account of the Commission. The penalties provided by this subsection shall be in addition to those provided for in Section 10 of this Act.

(i) Any aggrieved person, firm, or corporation or other entity upon application to the State Health Officer shall be granted a public hearing on the question of whether or not the continuance of any such order in whole or in part is unreasonable in the light of the then prevailing conditions of air pollution, the contribution to the same of any particular activity, and the purposes of this Act. Said public hearing shall be conducted as quickly as possible by said State Health Officer

or his delegate who shall give public notice of same. The State Health Officer or his delegate shall have the power to compel attendance, testimony, and the production of documents by the use of subpoena powers. The number of witnesses and the extend of testimony shall be within his control. If the State Health Officer, upon conclusion of such hearing, determines that any such order should be terminated, or modified in any way whatsoever, he shall report such findings and recommendations to the Governor for such action as he deems appropriate.

(j) The Commission shall promulgate a set of proposed stand-by orders which might be appropriate for use by the Governor upon declaration of the emergency contemplated by this Act. Such stand-by control proposals, when approved by the Governor, shall be distributed to the appropriate agencies and to all commercial and industrial concerns throughout this State concerned with enforcement or impact of this Act and notice of their contents shall be given to the public. The Commission shall promulgate arrangements for the enforcement of said stand-by orders and, upon approval by the Governor, notice of said arrangements shall also be distributed to said authorities, commercial and industrial concerns, and to the general public. Said proposed stand-by orders and arrangements shall not, however, become operative except when directed by the Governor in any order issued by him pursuant to a declaration of emergency under this section.

Section 9. Inspection and Confidentiality of Records.

(a) Any duly authorized officer, employee, or representative of the Commission may enter and inspect any property, premises or place on or at which an air contaminant source is located or is being constructed, installed or established at any reasonable time for the purpose of ascertaining the state of compliance with this Act and rules and regulations in force pursuant thereto. No person shall refuse entry or access to any authorized representative of the Commission who requests entry for purposes of inspection, and who presents appropriate credentials; nor shall any person obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth all facts found which relate to compliance status.

(b) The Commission may conduct tests and take samples of air contaminants, fuel, process material or other material which affects or may affect emission of air contaminants from any source. Upon request of the Commission, the person responsible for the source to be tested shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants. If an authorized employee of the Commission during the course of an inspection obtains a sample of air contaminant, fuel, process material, or other material, he shall give the owner or operator of the equipment or fuel facility a receipt for the sample obtained.

(c) Any records, reports or information obtained under this Act shall be available to the public, except that upon a showing satisfactory to the Commission by any person that records, reports, or information, or particular part thereof (other than emission data) to which the Commission has access if made public, would divulge production or sales figures on methods, processes or production unique to such person, or would otherwise tend to affect adversely the competitive position of such person by revealing trade secrets, the Commission shall consider such record, report, or information or particular portion thereof confidential in the administration of this Act. Nothing herein shall be construed to prevent disclosure of such report, record or information

to Federal, State, or local representatives as necessary for purposes of administration of any Federal, State or local air pollution control laws, or when relevant in any proceeding under this Act.

Section 10. Penalties.

(a) Any person who violates any provision of this Act, or any rule or regulation adopted by the Commission, or who violates any determination or order made pursuant to this Act, shall be liable to a civil penalty not to exceed \$10,000 for said violation and an additional civil penalty not to exceed \$1,000 for each day during which violation continues, which may be recovered in a civil action in the Circuit Court, sitting in equity and such person may be enjoined from continuing such violation.

(b) Any money so recovered shall be deposited in the State Treasury to the account of the Commission.

(c) It shall be the duty of the Commission, or the Attorney General of the State, upon request of the Commission, to bring such actions, in the Circuit Court in the name of the State of Alabama.

(d) Any person who knowingly violates or knowingly fails or refuses to obey or comply with this Act or any rule or regulations or order adopted hereunder or knowingly submits any false information under this Act or any rule or regulation hereunder shall be guilty of a misdemeanor and upon conviction may be sentenced to hard labor for the county for not more than one year.

(e) The issuance of an order shall not be a condition precedent to the commencement of an action under this section.

Section 11. Enforcement

(a) Whenever the Commission has cause to believe that any person is violating any rule or regulation adopted or promulgated by the Commission, the Commission shall cause a prompt investigation to be made in connection therewith.

(b) If upon inspection the Commission discovers a condition which is in violation of the provisions of this Act or any rule or regulation adopted or promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease.

(c) The person responsible shall make the corrections necessary to comply with the requirements of this Act or rule or regulation promulgated pursuant thereto within the time specified in the order.

(d) Nothing herein shall be deemed to prevent the Commission from prosecuting any violation of this Act or any rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with the order.

(e) Any person aggrieved by an order of the Commission under this Act may, upon application made within 10 days after notice thereof, be entitled to a hearing before the Commission which shall within 30 days thereafter hold a hearing of which at least 10 days written notice shall be given to such persons. Within 30 days after such hearing the Commission shall issue an appropriate order modifying approving or disapproving its order. A copy of such order shall be served upon all interested parties. Pending the determination by the Commission and upon application therefor the Commission may stay the operation of such order upon such terms and conditions as it may deem proper.

(f) The testimony taken at any hearing shall be under oath and shall be recorded stenographically, but the parties shall not be bound by strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearing shall be furnished to any part thereto upon request and at his expense.

(g) Any hearing required by this Act to be held before the Commission shall be held before a hearing officer designated by the Chairman who shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation in any such hearing. The Commission, at the request of any interested person, may subpoena and compel the attendance of such witnesses as such person may designate and require the production for examination of any books or papers relating to any matter under investigation in any such hearing.

(h) Any duly designated employee of the Commission may administer oath to witnesses and may conduct hearings or investigations and any such duly designated employee of the Commission may sign and issue subpoenas requiring persons to appear before him or the Commission and the Commission, through its designated officers, shall have the power to serve said subpoenas upon any such person by sending a copy of such subpoena through the United States mail, postage prepaid, which said mail shall be registered with return receipt attached and such service shall be complete when said registered mail shall be delivered to said person and such receipt returned to the Commission or its designated employee, signed by the person sought to be subpoenaed. Obedience to a subpoena issued by the Commission or any person authorized and designated by the Commission to issue said subpoena may be enforced by application to any judge of the Circuit Court of the county in which said subpoena was issued or to the judge or any Circuit Court in which such person subpoenaed resides in the same manner as is provided by law for the grand jury of a county to enforce its subpoenas and with the same penalty as provided therefor for the failure of any person failing or refusing to comply with such subpoena.

(i) Any party who deems himself aggrieved by an order of the Commission or of a local Commission established pursuant to this act may within ten days after receiving notice of such order, have such order reviewed by a writ of certiorari by filing in the circuit court of the county wherein said order was taken or made, verified petition setting out the specific order or any part or parts thereof whereby said party deems himself aggrieved, and such court shall only consider such matters as contained in the petition. Upon such petition being so filed a writ of certiorari shall be issued out of such court, directed to the Commission which issued the order requiring it to file with the court the records upon which such order was made, its findings of fact which supports such order, and requiring said Commission to file an answer to said petition within thirty days after service of said writ, and upon said Commission's filing said answer, issue shall be joined thereon without further pleading and the case considered on said petition, the record of said Commission, and the said findings of fact, and the answer filed by said Commission, but no new or additional evidence shall be taken or heard by the court. If new or additional evidence is discovered by any party after the hearing by the Commission issuing the order, the same may be made grounds for a motion for a new hearing before the said Commission under the rules applicable for similar motions for a new trial in the circuit courts of the State of Alabama. All such cases shall be given preferred settings, and shall

be heard by the court as speedily as possible after issue is joined. Such court shall have the power to suspend or stay such order of the said Commission complained of in such petition, pending final hearing only upon petitioner in error executing a bond in such an amount as the court deems reasonable sufficient to compensate or cover any loss or penalty occasioned by such stay or suspension of such order, said bond to be payable to said Commission, and in the event the order, or ruling of the Commission is affirmed, execution shall be issued by said court on said bond for such amount, if any, as the court shall find necessary to compensate for damages sustained by such stay or suspension of such ruling or order, with cost of the proceedings, but in no case less than the reasonable cost of the transcript of the records of the Commission, which was had in the proceedings wherein the order, was made, which was appealed from, which cost shall be paid over to the Commission, and deposited by it in the treasurer for its use, the same as all other monies received by the Commission. Upon final hearings, such court shall have jurisdiction to reverse, vacate or modify the order complained of, if upon consideration of the issues before the court, the court is of the opinion the order is unlawful or unreasonable. Nothing in this section shall be construed as depriving a defendant in a criminal prosecution of a trial by jury, arising out of the violation of any provisions of this act.

Section 12. Variances

(a) The Commission may grant individual variances beyond the limitations prescribed in this Act, whenever it is found, upon presentation of adequate proof, that compliance with any rule or regulation, requirement or order of the Commission would impose serious hardship without equal or greater benefits to the public, and the emissions occurring or proposed to occur do not endanger or tend to endanger human health or safety. In granting or denying a variance the Commission shall file and publish a written opinion stating the facts and reasons leading to its decision.

(b) In granting a variance the Commission may impose such conditions as the policies of this Act may require. If the hardship complained of consists solely of the need for a reasonable delay in which to correct a violation of this Act or of the Commission regulations, the Commission may condition the grant of such variance upon the posting of sufficient performance bond or other security to assure the correction of such violation within the time prescribed.

(c) Any variance granted pursuant to the provisions of this section shall be granted for such period of time, not exceeding one year, as shall be specified by the Commission at the time of the grant of such variance, and upon the condition that the person who receives such variance shall make such periodic progress reports as the Commission shall specify. Such variance may be extended from year to year by affirmative action of the Commission, but only if satisfactory progress has been shown.

(d) Any person seeking a variance or an extension of a variance shall do so by filing a petition for variance with the Commission, which shall promptly give notice of such petition in a newspaper of general circulation in the county in which the installation or property for which variance sought is located. The Executive Director shall promptly investigate such petition, consider the views or persons who might be adversely affected by the grant of a variance, and make a recommendation to the Commission as to the disposition of the petition. If the Commission, in its discretion, concludes that a hearing would be advisable, or if any person files a written objection to the grant of such variance within 21 days, then a hearing shall be held, under

the rules prescribed in Section 7 of this Act, and the burden of proof shall be on the petitioner.

(e) The Commission shall enter an order taking final action upon a variance request or request for extension thereof within 90 days after the filing of the petition, and shall notify such petitioner of such action.

(f) A variance or extension thereof shall not be a right of the applicant or holder thereof but shall be in the discretion of the Commission.

Section 13. Administration.

(a) The Director of the Bureau of Environmental Health, of the Department of Public Health shall serve as Executive Director to the Commission.

(b) The Executive Director, or his authorized representative, shall attend all meetings of the Commission, but shall not be entitled to a vote.

(c) The Executive Director, or his authorized representative, during the interim between meetings of the Commission, shall handle such correspondence, and obtain, assemble or prepare such reports and data as the Commission may direct or authorize and shall make inspections and investigations into all situations wherein an air pollution problem may exist.

(d) The Executive Director shall be responsible for making recommendations to the Commission for the issuance of formal complaints by the Commission and for the presentation of such complaints before the Commission, and shall have such other duties as the Commission may prescribe.

(e) The Executive Director shall be the enforcement officer of the rules, regulations, orders and directives of the Commission.

(f) Administrative, technical, scientific and other services shall be performed under the direction of the Executive Director and the Executive Director shall exercise supervision over the employees of the Commission. The Executive Director shall have the authority to employ and discharge employees of the Commission.

(g) In administering this Act through the Department of Public Health, the Commission may delegate to its Executive Director or employees authority to perform any act or duty necessary or incidental to the administration of this Act, except the making of rules and regulations.

Section 14. Provision for Local Programs.

(a) Each county governing body is hereby authorized to establish and maintain a County Air Pollution Control Board for its jurisdiction.

(1) The Board shall be composed of nine members. One member shall be the County Health Officer of such county who shall serve so long as he holds that office and who shall be the Chairman of the Board. The other eight members of the Board shall be appointed by the county governing body as follows:

three of its members shall be representative of the public; two of its members shall be representative of public health and both shall be physicians licensed to practice in this State and currently engaged in the practice of medicine in this State; and three of its members shall

be representative of industry or manufacturing and shall be individuals knowledgeable of air pollution control and actively engaged in a management position in industry or manufacturing for at least three years immediately prior to appointment. No member of the County Air Pollution Control Board, other than the representatives of industry and manufacturing may be an officer, employee, agent, or stockholder owning five per cent of the voting stock of a corporation or organization holding a permit from the Commission or Board for the discharge of air contaminants into the atmosphere. All of the members appointed by the county governing body shall have been residents of that county for not less than two years prior to their respective appointments. The term of each appointed member shall be four years or until a successor is duly appointed, except that the terms of one representative of the public, one representative of public health, and one representative of industry and manufacturing of those first appointed shall expire at the end of two years as designated by the county governing body at the time of appointment. Vacancies in the appointed membership shall be filled for unexpired terms in the manner in which original appointments are required to be made. Any appointed member shall be eligible to succeed himself. Five members of the Board shall constitute a quorum for the transaction of business. Any official action of the Board must be by majority vote of those present and voting. The Board shall hold regular meetings at least one each calendar quarter. The Chairman, or any four members of the Board, may call a special meeting for any stated purpose on at least 24 hours notice to each member. No member may designate by proxy or otherwise an alternate representative to attend any meeting of the Board. No member of the Board shall be compensated for serving as a member of said board, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Board being considered a part of their official duties. Members may be reimbursed for actual or necessary travel substance and other expenses incurred in the discharge of their duties and as directed or requested by the Board from any funds which are or may become available to the Board. The county governing body establishing an air pollution control board is hereby authorized to appropriate such sums to the Board as it may determine necessary and desirable for the establishment, administration and operation of such board.

(b) Each Board authorized or established pursuant to this section shall only have power to enforce all rules, regulations, and standards adopted or promulgated by the Commission which are applicable within the city or county to which the Board relates. All of the enforcement authority and judicial remedies provided by this Act shall be available and enforceable by such Board. No board shall have the ability or power to adopt, promulgate, or establish rules, regulations, criteria, or standards or to issue permits or to perform any other such duties.

(c) (1) If the Commission has reason to believe that a local air pollution control board established or authorized pursuant to this section is being administered in a manner inconsistent with the requirements of this Act, or in a manner detrimental to the prevention and control of air pollution in the jurisdiction to which such board relates, the Commission shall, on due notice to the appropriate Board, conduct a hearing on the matter.

(2) If after such hearing, the Commission finds that such board is not assisting in the accomplishment of the purposes of this Act, that such board is not adhering to the requirements of subsection (D), or that such board is being administered in a manner inconsistent with re-

quirements of this Act, the Commission may preempt the authority of such board. At the expiration of one year from the initial preemption, the Commission may, by resolution, return the authority to the Board, in which case said Board shall immediately have and exercise all of the jurisdiction and authority authorized by this section if no preemption had occurred.

(d) (1) Each Board which has been authorized or established shall submit to the Commission a detailed report of its activities during the previous year. Such annual report shall be submitted as of October 1 of each year. Such reports shall include, but not be limited to, information regarding:

(i) Need for new or additional rules and regulations to control or prevent air pollution in the city or county to which such Board relates;

(ii) Administrative organization;

(iii) Staff Financial and other resources;

(iv) Enforcement activities;

(v) Emission inventories;

(vi) Air quality monitoring systems and data;

(vii) Progress and problems encountered and,

(viii) Any other information which the Commission may reasonably require.

(2) The Commission may also require special interim reports by such Board regarding its activities.

(e) Nothing in this section shall be construed to prohibit the Commission from enforcing any provision of this Act or any rule or regulation issued thereunder, not to supersede or oust the jurisdiction of the Commission in any matter.

Section 15. Motor Vehicle Pollution.

(a) As the state of knowledge and technology relating to the control of emissions from motor vehicles may permit or make appropriate, and in furtherance of the purposes of this Act, the Commission may provide by rules and regulations for the control of emissions from any class or classes of motor vehicles. Such rules and regulations may in addition, prescribe requirements for the installation and use of equipment designed to reduce or eliminate emissions and for the proper maintenance of such equipment and of such vehicles.

(b) (1) The Commission may establish standards and requirements providing for periodic inspections and testing of motor vehicles by the Commission to enforce compliance with this section.

(2) The Commission may establish reasonable fees for the inspection and testing of motor vehicles and provide by rules and regulations for the payment and collection of such fees.

(3) If, after inspecting and testing any motor vehicle, the Commission determines that such motor vehicle complies in every respect with rules, regulations, standards and requirements issued by the Commission pursuant to this section, the Commission shall attach to such vehicle in a clearly visible location a certificate of inspection and approval.

(c) (1) The Commission may suspend or revoke the certificate of inspection and approval of any motor vehicle not equipped with an air pollution control system or mechanism in good working order and adjustment as required by the rules and regulations of the Commission. The vehicle shall not thereafter be eligible for such certificate until all parts and equipment constituting operational elements of the motor vehicle have been restored, replaced or repaired and are in good working order.

(2) No motor vehicle shall be issued an official certificate of inspection and approval as required pursuant to this section, unless all features or equipment required in or on the motor vehicles for the purpose of controlling emissions therefrom have been inspected in accordance with the standards and testing techniques required by the Commission pursuant to sub-section (b) hereof and have been found to meet these standards.

(3) No person shall drive or move and no owner shall cause or knowingly permit to be driven or moved on any highway any motor vehicle unless the vehicle is equipped with an air pollution control system or mechanism in good working order and adjustment as required by rules and regulations of the Commission.

(4) When, and if, the Commission shall establish standards and requirements for periodic inspections and testing of motor vehicles pursuant to subsection (b) hereof, no person shall drive or move and no owner shall cause or knowingly permit to be driven or moved on any highway any motor vehicle unless there is attached to such vehicle by the Commission a valid certificate of inspection and approval which has not been suspended or revoked.

(5) Failure to comply with subparagraphs (3) and (4) of this subsection shall subject the driver or owner to a penalty as provided in this Act.

(d) The Commission, in its discretion, is hereby authorized to delegate any or all of the authority vested in it by this section to any agency or instrumentality of the State now or hereafter authorized to inspect motor vehicles for any purpose.

(e) As used in this section "motor vehicle" shall mean every self-propelled device in, or upon or by which any person or property is or may be transported or drawn upon a public highway.

Section 16. Limitations. Nothing in this Act shall be construed to:

(a) Grant to the Commission any jurisdiction or authority with respect to air contamination existing solely within commercial and industrial plants, works or shops; or

(b) Affect the relations between employers and employees with respect to or arising out of any condition of air contamination or air pollution.

Section 17. Severability. The provisions of this Act are severable and if any part, section, subsection, clause, paragraph or phrase of this Act shall be adjudged to be invalid or unconstitutional by any court of competent jurisdiction, the judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the part, section, subsection, clause, paragraph or phrase of this Act that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 18. Funds. All appropriations and other funds deposited in the State Treasury to the account of the Commission are hereby appropriated to the Commission and shall be used for carrying out the purposes of this Act.

Section 19. Persons other than the State, the Commission, or County Boards created pursuant to Section 14 of this Act, shall not acquire any actionable rights by virtue of this Act. The basis for proceedings or other actions under this Act that result from violations of this Act shall inure solely to and shall be for the benefit of the people of the State generally, and it is not intended in any way to create new rights or to enlarge existing rights.

Section 20. It is the intention of this Act to occupy by preemption the field of air pollution control within all areas of the State of Alabama, except that this Act shall not repeal any municipal ordinances in effect on or before July 1, 1969, which pertain to air pollution control.

Section 21. Repeals. All laws or parts of laws in conflict with this Act are hereby repealed and Act No. 1135, Regular Session of 1969 (General Acts 1969, p. 2100) is hereby expressly repealed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 55. Extending best wishes to Mr. Neal H. Chandler on his retirement from the Capitol Patrol.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Messrs. Pelham, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pierce, Register, Shelby, Vacca, Weaver, Wilder, Wilson and Lieutenant Governor Beasley offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. WHEREAS, on July 22, 1971, an ORDER TO SHOW CAUSE was issued out of the United States District Court for the Middle District of Alabama, Northern Division, in a suit pending in that Court entitled M. O. Sims, et al, Plaintiffs, vs. Mabel Amos, Secretary of the State of Alabama, et al, Defendants, which such ORDER TO SHOW CAUSE directs that the Defendants appear within ten days from July 22, 1971, and show cause why the Legislature of Alabama is not under a mandatory constitutional duty to reapportion itself by the end of its current Session or at a Special Session prior to December 31, 1971; and

WHEREAS, it is desirable that the Legislature of Alabama consult and confer immediately with the parties Defendant in such cause and to advise with such Defendants in the preparation and submission of an answer to the said ORDER TO SHOW CAUSE and to otherwise maintain liaison with such Defendants all to the end that the interests of the Government and people of the State of Alabama shall be preserved and protected; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a

joint legislative Committee to consist of three members from each House to be appointed by the President of the Senate and the Speaker of the House, respectively, which such Committee shall immediately contact the Attorney General of the State of Alabama and such other of the said Defendants as the Committee may determine to be representative, and to consult with the said parties Defendant offering to them such advice and assistance as the Legislature of Alabama may furnish to enable the said Defendants to properly respond to the said ORDER. The said Committee shall maintain active liaison with the said Defendants and shall keep the Legislature of Alabama informed as to proceedings in the said suit and to recommend to the Legislature such action as may be advisable in the judgment of the Committee to insure that the interests of the Government and people of the State of Alabama are fully protected and preserved in the said suit.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 341

The Senate proceeded to further consideration of the Bill, S. B. 341, as amended. The question was on the substitute offered by Mr. Clark.

Mr. McLain moved that said substitute be laid on the table, which motion was lost.

Yeas 16; Nays 18.

Yeas:

Messrs.:	Fine	Lindsey	O'Bannon	
Bailes	Foshee	Littleton	Owen	
Carr	Harris	Lybrand	Pierce	
Dominick	Jones	McLain	Shelby	
Edington				—16

Nays:

Messrs.:	Dozier	King	Vacca	
Branyon	Gilmore	Malone	Weaver	
Clark	Givhan	Noonan	Wilder	
Cook	Hawkins	Pelham	Wilson	
Cooper	Horne	Register		—18

The question was then on the substitute offered by Mr. Clark for the Bill, S. B. 341, as amended, and said substitute was then lost.

Yeas 11; Nays 23.

Yeas:

Messrs.:	Cooper	King	Vacca	
Branyon	Gilmore	Noonan	Wilder	
Clark	Givhan	Register	Wilson	
				—11

Nays:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Carr	Foshee	Littleton	Pelham	
Cook	Harris	Lybrand	Pierce	
Dominick	Hawkins	McLain	Shelby	
Dozier	Horne	Malone	Weaver	—23

Mr. Wilson offered the following substitute for the Bill, S. B. 341, as amended, to-wit:

SUBSTITUTE FOR S. B. 341, AS AMENDED

A BILL
TO BE ENTITLED
AN ACT

To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose relative to air pollution; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be known and may be cited as the "Alabama Air Pollution Control Act".

Section 2. Declaration of Purpose. The Legislature finds that pollution of the air of this State constitutes a menace to public health and welfare, creates public nuisances, adversely affects agriculture, business, industry, recreation, climate, and visibility, depresses property values, and offends the senses. It is the purpose of this Act to restore, maintain, and enhance the purity of the air of this State in order to protect health, welfare, property, and the quality of life and to assure that no air contaminants are discharged into the atmosphere without being given the degree of treatment or control necessary to prevent air pollution.

Section 3. Definitions. As used in this Act, the following words and terms shall have the following meanings:

(a) "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as are, or tend to be, injurious to human health or welfare, animal or plant life or property, or would interfere with the enjoyment of life or property throughout the State and in such territories of the State as shall be affected thereby.

(b) "Air Contaminant" means any solid, liquid, or gaseous matter, any odor, or any combination thereof, from whatever source.

(c) "Commission" means the Air Pollution Control Commission of the State of Alabama established by this Act.

(d) "Person" means the State, any individual, partnership, firm, association, municipality, public or private corporation or institution, political subdivision or agency of the State, including any Environmental Improvement Authority established pursuant to Act No. 1117, Regular Session of 1969 (Gen. Acts 1969, p. 2060), trust, estate, or any other legal entity and any successor, representative, agent, or agency of the foregoing, the United States or any department, agency, or in-

strumentality of the executive, legislative or judicial branches of the Federal Government.

(e) "Emission" means a release into the outdoor atmosphere of air contaminants.

(f) "Chairman" means the Chairman of the Air Pollution Control Commission of the State of Alabama.

Section 4. The Air Pollution Control Commission.

(a) There is hereby created and established an Air Pollution Control Commission of the State of Alabama, hereinafter referred to as the "Commission" which shall be composed of seven (7) members, two (2) of its members shall be representative of the public, and shall be appointed by the Governor, with the advice and consent of the Senate. Three (3) of its members shall be representatives of public health. One representative of public health shall be the State Health Officer. The remaining two (2) representatives of public health shall be appointed by the Governor, with the advice and consent of the Senate, as follows: Both shall be physicians licensed to practice in this State and currently engaged in the practice of medicine in this State, and each shall be appointed by the Governor. Two of its members shall be representative of industry or manufacturing and shall be appointed by the Governor, with the advice and consent of the Senate, as follows: Both shall be individuals knowledgeable of air pollution control and actively engaged in a management position in industry or manufacturing for at least five years immediately prior to appointment by the Governor. All of the members appointed by the Governor shall have been residents of the State of Alabama for not less than two years prior to their respective appointments.

(b) The term of each member representative of the public and appointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. The term of each member representative of public health and appointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. The representative of public health not appointed by the Governor, namely the State Health Officer, shall hold office as a member of such Commission so long as he holds office as State Health Officer and until the appointment and qualification of his successor as State Health Officer. The term of each member representative of industry or business shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. There shall be no limitation on the number of terms any appointed member may serve. If a vacancy occurs in the appointed membership, and upon certification thereof by the Commission, the Governor shall appoint a person to fill the vacancy for the unexpired term of said member with the advice and consent of the Senate. When a Commission member is appointed during a period when the Legislature is not in session to advise and consent, such appointee shall have the full power of the office until and unless the Senate, upon the reconvening of the Legislature, shall, by majority vote, refuse to consent in such appointment. No member of the Commission other than the representatives of industry and manufacturing may be an officer, employee, agent, or stockholder owning five per cent or more of the voting stock of any corporation or organization holding a permit from the Commis-

sion for the discharge of air contaminants into the atmosphere, or be an officer, employee, or agent of any trade association which represents such a corporation or organization.

(c) All of the matters pending before the Air Pollution Control Commission, established pursuant to Act No. 1135, Regular Session of 1969 (Gen. Acts 1969, p. 2100), referred to hereinafter as "former Commission", upon the effective date of this Act shall, upon the effective date of this Act, be transferred to the jurisdiction of the new Commission herein established, and all actions heretofore taken and jurisdiction heretofore exercised by the "former Commission" shall be considered in all respects as having been acts of the new Commission established herein. All books, records, equipment, facilities, funds allocated to or in its possession (including unexpended appropriations), notes and accounts receivable and all other property of every kind whatsoever of the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, vest in and become the property of the new Commission established herein, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, inure to the benefit of and be binding upon the new Commission established herein, it being the intent of this Act that the new Commission established herein supersede and replace, but continue all business and affairs of the "former Commission".

(d) The State Health Officer shall serve as Chairman of the Commission. The Commission shall elect annually from its membership a Vice Chairman. The Chairman and Vice Chairman shall vote on matters before the Commission as other members.

(e) No salary or compensation shall be paid any member of the Commission for services thereon, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Commission being considered a part of their official duties. Actual and necessary travel, subsistence and other expenses, incurred by members in the discharge of their duties as members of the Commission and as directed or requested by the Commission, shall be paid at the rate allowed other State employees as provided by law from funds which are or may become available for the purpose of this Act.

(f) The Commission shall meet regularly in each calendar quarter of each year, at times and places to be fixed by the Commission. Special meetings may be called at the discretion and upon call of the Chairman and special meetings shall be called by him upon written request of any three members to take up any matters within the jurisdiction of the Commission. All members shall be notified of the time and place of any regular or special meeting.

(g) Four members of the Commission shall constitute a quorum for the transaction of Commission business in both regular and special meetings. No member may designate by proxy or otherwise an alternate representative to attend any meeting of the Commission. The Executive Director, or his representative, shall attend all meetings but shall have no voting power.

(h) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Executive Director and open to public inspection.

(i) The State Health Department shall act as the administrative agency. In addition, the Commission may employ and compensate,

within appropriations available therefor, consultants and such assistants and employees as may be necessary to carry out the provisions of this Act and may prescribe their powers and duties. All personnel who are in the employ of or are assigned to the "former Commission" upon the effective date of this Act shall, upon the effective date of this Act, become the employees of or assigned to the new Commission established herein. Employees of the Commission shall be employed in accordance with the State merit system.

(j) All departments and agencies of the State are hereby authorized and directed to cooperate with the Commission in order to accomplish the purpose of this Act and are further authorized and directed to obey all rules and regulations and orders issued by the Commission. It is the intent of this subsection that the State Government in the design, operation, and maintenance of its facilities and activities shall provide leadership in the statewide effort to protect and enhance the quality of our air resources.

Section 5. Rules and Regulations. The Commission, pursuant to procedures prescribed in Section 7 of this Act, may make, adopt, promulgate and enforce rules and regulations to prevent and control air pollution and to promote the purpose of this Act. Without limiting the generality of this authority such regulations may among other things prescribe:

(a) Ambient air quality standards specifying the maximum permissible short-term and long-term concentrations of various air contaminants in the atmosphere;

(b) Emission standards specifying the maximum amounts or concentrations of various air contaminants that may be discharged into the atmosphere, such standards may be for the State as a whole or may vary from area to area as may be appropriate to accomplish the purpose of this Act;

(c) Standards for the issuance and revocation of permits for construction, installation, or operation of any equipment, facility, vehicle, vessel, or aircraft capable of causing or contributing to air pollution or designed to prevent air pollution;

(d) Standards and conditions regarding the sale, offer, or use of any fuel, or other article determined to contribute to air pollution, or which could contribute to air pollution;

(e) Alert and abatement standards relative to air pollution episodes or emergencies constituting an acute danger to health or to the environment;

(f) Requirements and procedures for the inspection of any equipment, facility, vessel, or aircraft that may cause or contribute to air pollution;

(g) Requirements that the owner or operator of any air contaminant source to establish and maintain such records; make such reports; purchase, install, use and maintain such monitoring equipment or methods; sample such emissions in accordance with such methods, at such locations, intervals and procedures as the Commission shall prescribe; and provide such other information as the Commission reasonably may require;

(h) Requirements for making reports containing information as may be required by the Commission concerning location, size and height of contaminant outlets, processes employed, fuels used and the nature and time periods or durations of emissions, and such other information as is relevant to air pollution;

(i) Rules and regulations establishing standards and requirements for the control of air contaminants from moving sources of air contaminants, and providing for periodic inspections and testing, by the Commission, or in cooperation with other State agencies, to enforce compliance with such standards and requirements;

(j) Rules and regulations providing for the payment and collection of reasonable fees for the review of plans and specifications which may be submitted pursuant to Section 6. Such funds received by the Commission pursuant to this section shall be deposited in the State Treasury to the account of the Commission;

(k) Effective and applicable dates, however, unless otherwise specified by the Commission, all rules, regulations, standards, requirements, procedures, orders, resolutions, prohibitions, amendments thereto, or repeal thereof, shall become effective and applicable upon adoption by the Commission.

Section 6. Other Powers and Duties of the Commission. In addition to other powers conferred on it by law, the Commission shall have power to:

(a) Hold hearings relating to any aspect of or matter in the administration of this Act, and in connection therewith, compel the attendance of witnesses and the production of evidence, through subpoena as hereinafter provided.

(b) Issue such orders as may be necessary to effectuate the purposes of this Act and enforce the same by all appropriate administrative and judicial proceedings provided by law.

(c) Require access to records relating to emissions which cause or contribute to air contamination.

(d) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise.

(e) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution in this State.

(f) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this Act.

(g) Encourage and conduct studies, investigations and research relating to air contamination and air pollution and their causes, effects, prevention, abatement and control.

(h) Determine by means of field studies and sampling the degree of air contamination and air pollution in the State and the several parts thereof.

(i) Make a continuing study of the effects of the emission of air contaminants from motor vehicles on the quality of the outdoor atmosphere of this State and the several parts thereof, and make recommendations to appropriate public and private bodies with respect thereto.

(j) Collect and disseminate information and conduct educational and training programs relating to air contamination and air pollution.

(k) Advise, consult, contract and cooperate with other agencies of the State, local governments, industries, other states, interstate or interlocal agencies, and the Federal Government, and with interested persons or groups.

(1) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problem which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this Act, rules and regulations in force pursuant thereto, or any other provision of law.

(m) Accept, receive and administer grants or other funds or gifts from public and private agencies, including the Federal Government, for the purpose of carrying out any of the functions of this Act. Such funds received by the Commission pursuant to this section shall be deposited in the State Treasury to the account of the Commission. In addition to the authority to accept, receive and administer grants or other funds from the Federal Government, the Commission is hereby designated as the State air pollution control agency for the purposes of the Federal Clean Air Act, as amended, Public Law 90-148, or any amendments thereto.

(n) Provide for the performance by its officers and employees, in the name of the Commission, of any act or duty necessary or incidental to the administration of this Act.

(o) Provide for the establishment of advisory committees, appointment of the membership of such committees, scope of investigation, and other duties, of such committees. The period of duration of such committees and the terms of members of such committees shall be established by the Commission. No salary or compensation shall be allowed any member of such committees for services thereon. Actual and necessary travel subsistence, and other expenses incurred by members of such committees in the discharge of their official duties as members of such committees and when approved by the Chairman or the Executive Director, by direction of the Commission, shall be paid at the rate allowed other State employees as provided by law from any funds which are or may become available for the purpose of this Act.

(p) Prohibit the construction, installation, modification, or use of any equipment, device, or other article which it finds may cause or contribute to air pollution or which is intended primarily to prevent or control the emission of air contaminants, unless a permit therefor has been obtained from the Executive Director. The Commission may require that applications for such permits shall be accompanied by plans, specifications, and such other information as it deems necessary. The Commission shall provide for the issuance, suspension, revocation and renewal of any permits which it may require pursuant to this section. No person shall construct, install, modify or use any equipment, device or other article designated by regulation, capable of causing or contributing to air pollution or designed to prevent air pollution without a permit from the Executive Director or in violation of any conditions imposed by such permits.

(q) Require that notice be given to the Executive Director prior to the undertaking of the construction, installation or establishment of particular types or classes of new air contaminant sources specified in its rules and regulations. Within fifteen days of its receipt of such notice, the Executive Director may require, as a condition precedent to the construction, installation or establishment of the air contaminant source or sources covered thereby, the submission of plans, specifications and such other information as he deems necessary in order to determine whether the proposed construction, installation or establishment will be in accord with applicable rules and regulations in force pursuant to this Act. If within ninety days of the receipt of plans, specifications or other information required pursuant to this subsection

the Executive Director determines that the proposed construction, installation or establishment will not be in accord with the requirements of this Act or applicable rules and regulations, he shall issue an order prohibiting the construction, installation or establishment of the air contaminant source or sources. Failure of such an order to issue within the time prescribed herein shall be deemed a determination that the construction, installation or establishment may proceed; provided that it is in accordance with the plans, specifications or other information, if any, required to be submitted. The issuance of, or the absence or failure to issue, a rules, regulation or order, or any determination made pursuant to this subsection shall not relieve any person from compliance with any emission control requirements or with any other provisions of law.

Section 7. Procedures for Adopting Rules and Regulations.

(a) No substantive rules or regulations shall be adopted, amended, or repealed until after a public hearing. At least 21 days prior to the scheduled date of the hearing the Commission shall give notice of such hearing by public advertisement in a newspaper of general circulation in the area of the State concerned of the date, time, place and purpose of such hearing; and make available to any person upon request copies of the proposed rules or regulations, together with summaries of the reasons supporting their adoption.

(b) Any public hearing relating to the adoption, amendment, or repeal of Commission regulations under this section shall be held before a hearing officer, who shall be designated by the Chairman. All such hearings shall be open to the public, and reasonable opportunity to be heard with respect to the subject of the hearing shall be afforded to any person. All testimony taken at the hearing shall be recorded stenographically. The transcript so recorded, and any written submissions to the Commission in relation to such hearings, shall be open to public inspection.

(c) After such hearing the Commission may revise the proposed regulations before adoption in response to testimony made at the hearing, without conducting a further hearing on the revisions.

(d) Any such regulations may make different provisions as required by circumstances for different air contaminant sources and for different geographical areas; may apply to sources outside this State causing, contributing to, or threatening environmental damage in Alabama; and may make special provision for alert and abatement standards and procedures respecting occurrences or emergencies of pollution or on other short-term conditions constituting an acute danger to health or to the environment. In promulgating regulations under this Act, the Commission shall take into account the purpose of the Act.

(e) Nothing in this section shall be construed to require a hearing prior to issuance of an emergency order pursuant to Section 8 of this Act.

Section 8. Emergency Procedures.

(a) Any other provisions of law to the contrary notwithstanding, if the Chairman, or in his absence the Executive Director, or the Chairman of a County Air Pollution Control Board, finds that a condition of air pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the Chairman, or in his absence the Executive Director, or the Chairman of a County Air Pollution Control Board shall order persons causing or contributing to the air pollution to reduce or discontinue immediately the emission of air contaminants in accordance with an emergency procedure plan

promulgated by the Commission, and such order shall fix a place and time, not later than twenty-four hours thereafter, for a hearing to be held before the person issuing such order. Not more than twenty-four hours after the commencement of such hearing, and without adjournment thereof, the person issuing such order shall affirm, modify or set aside such order.

(b) Notwithstanding any other provisions of this Act, the Commission, Executive Director, or Attorney General upon receipt of evidence that an air contaminant source or combination of sources (including moving sources) is presenting an imminent and substantial endangerment to the health of persons may commence a suit in the name of the State of Alabama in the Circuit Court, sitting in equity, in the county where the air contaminant source or sources are located, to immediately restrain any person causing or contributing to the alleged endangerment to the health of persons to stop the emission of air contaminants causing or contributing to such endangerment to the health of persons or to take such other action as may be necessary.

(c) Nothing in this section shall be construed to limit any power which the Governor or any other officer may have to declare an emergency and act on the basis of such declaration, if such power is conferred by statute or constitutional provision, or inheres in the office.

(d) In addition to, and without in any way limiting the foregoing, if the State Health Officer, in his capacity as Chairman of the Commission, or any three members of the Commission, determines at any time that air pollution, in any county, locality, place or other area in the State constitutes an emergency risk to the health of those present within said area of the State, and that the resources of the Commission are not sufficient to abate said air pollution, such determination shall be communicated in writing, with the factual findings on which such determination is based, to the Governor, the State Health Officer may delegate in writing to any employee of the Commission the power to make such determination and deliver the same to the Governor in the absence of the State Health Officer from the State. Upon being so advised the Governor may by proclamation declare, as to all or any part of said area mentioned in the aforesaid determination, that an air pollution emergency exists, and upon making such declaration the Governor shall have the following powers which he may exercise in whole or in part by the issuance of an order or orders:

(1) To prohibit, restrict or condition motor vehicle travel of every kind, including trucks and buses, in the area;

(2) To prohibit, restrict or condition the operation of retail, commercial, manufacturing, industrial, or similar activity in the area;

(3) To prohibit, restrict or condition operation of incinerators in the area;

(4) To prohibit, restrict or condition the burning or other consumption of any type of fuel in the area;

(5) To prohibit, restrict or condition the burning of any materials whatsoever in the area;

(6) To prohibit, restrict or condition any and all other activity in the area which contributes or may contribute to the air pollution emergency;

(7) To take such action as may be necessary and proper under circumstances.

(d) The declaration by proclamation of the Governor of an air pollution emergency and any order issued by the Governor pursuant to such declaration shall be given maximum publicity throughout the State.

(e) Any gubernatorial order may be amended or modified by further gubernatorial orders. Said order or orders shall not require any judicial or other order or confirmation of any type in order to become immediately effective as the legal obligation of all persons, firms, corporations and other entities within the State. Said order shall remain in effect for the duration of time set forth in same, and if no time limit is specified in said order, same shall remain in effect until the Governor declares by further proclamation that the emergency has terminated.

(f) The aforesaid orders of the Governor may be enforced by the State and County Departments of Health, the State and local police, Commission personnel, the Alabama National Guard as directed by the Governor, and such other persons or agencies as may be designated by the Governor. Those enforcing any Governor's order shall require no further authority or warrant in executing same than the issuance of the order itself. Those authorized to enforce said orders may use such reasonable force as is required in the enforcement thereof, and may take such reasonable steps as are required to assure compliance therewith including, but without limiting the generality of the foregoing, the following:

(1) Entering any property or establishment whatsoever, commercial, industrial, or residential believed, on reasonable cause, to be violating said order (excepting single or double family homes or any dwelling unit within a multiple dwelling unit larger than a double family home) and, if a request does not produce compliance, causing compliance with said order;

(2) Stopping, detouring, rerouting, and prohibiting motor vehicle travel and traffic;

(3) Disconnecting incinerator or other types of combustion facilities;

(4) Terminating all burning activities;

(5) Closing down or restricting the use of any business, commercial, retail, manufacturing, industrial or other establishment.

Where any person authorized to enforce such an order believes on reasonable cause that same is being violated in a single or double family residence or within the dwelling portion of a larger multiple dwelling unit, said residence or dwelling portion thereof may be entered only upon obtaining a search warrant from any magistrate having power to issue same.

(g) Any person, firm, corporation or other entity within this State which violates any Governor's order with knowledge of same, or knowingly fails to comply with the directions of those authorized by the Governor to enforce said order, or knowingly interferes with the enforcement of such an order or such directions, shall be guilty of a felony and shall be punished by a fine of not more than \$100,000.00 or by imprisonment in the penitentiary for not more than 10 years, or both. It shall be the duty of the Attorney General of the State, and the District Attorney of the Judicial Circuit under his direction, to bring such offenses to the attention of a grand jury. Any money so recovered shall be deposited in the State Treasury to the account of the Commission. The penalties provided by this subsection shall be in addition to those provided for in Section 10 of this Act.

(h) Any aggrieved person, firm or corporation or other entity upon application to the State Health Officer shall be granted a public hearing on the question of whether or not the continuance of any such order in whole or in part is unreasonable in the light of the then prevailing conditions of air pollution, the contribution to the same of any particular activity, and the purposes of this Act. Said public hearing shall be conducted as quickly as possible by said State Health Officer or his delegate who shall give public notice of same. The State Health Officer or his delegate shall have the power to compel attendance, testimony, and the production of documents by the use of subpoena powers. The number of witnesses and the extent of testimony shall be within his control. If the State Health Officer, upon conclusion of such hearing, determines that any such order should be terminated, or modified in any way whatsoever, he shall report such findings and recommendations to the Governor for such action as he deems appropriate.

(i) The Commission shall promulgate a set of proposed stand-by orders which might be appropriate for use by the Governor upon declaration of the emergency contemplated by this Act. Such stand-by control proposals, when approved by the Governor, shall be distributed to the appropriate agencies and to all commercial and industrial concerns throughout this State concerned with enforcement or impact of this Act and notice of their contents shall be given to the public. The Commission shall promulgate arrangements for the enforcement of said stand-by orders and, upon approval by the Governor, notice of said arrangements shall also be distributed to said authorities, commercial and industrial concerns, and to the general public. Said proposed stand-by orders and arrangements shall not, however, become operative except when directed by the Governor in any order issued by him pursuant to a declaration of emergency under this section.

Section 9. Inspections and Confidentiality of Records.

(a) Any duly authorized officer, employee, or representative of the Commission may enter and inspect any property, premises or place on or at which an air contaminant source is located or is being constructed, installed or established at any reasonable time for the purpose of ascertaining the state of compliance with this Act and rules and regulations in force pursuant thereto. No person shall refuse entry or access to any authorized representative of the Commission who requests entry for purposes of inspection, and who presents appropriate credentials; nor shall any person obstruct, hamper or interfere with any such inspection. If requested, the owner or operator of the premises shall receive a report setting forth all facts found which relate to compliance status.

(b) The Commission may conduct tests and take samples of air contaminants, fuel, process material or other material which affects or may affect emission of air contaminants from any source. Upon request of the Commission, the person responsible for the source to be tested shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants. If an authorized employee of the Commission during the course of an inspection obtains a sample of air contaminant, fuel, process material, or other material, he shall give the owner or operator of the equipment or fuel facility a receipt for the sample obtained.

(c) Any records, reports or information obtained under this Act shall be available to the public, except that upon a showing satisfactory to the Commission by any person that records, reports, or information, or particular part thereof, (other than emission data) to which the

Commission has access if made public, would divulge production or sales figures or methods, processes or production unique to such person, or would otherwise tend to affect adversely the competitive position of such person by revealing trade secrets, the Commission shall consider such record, report, or information or particular portion thereof confidential in the administration of this Act. Nothing herein shall be construed to prevent disclosure of such report, record or information to Federal, State, or local representatives as necessary for purposes of administration of any Federal, State or local air pollution control laws, or when relevant in any proceeding under this Act.

Section 10. Penalties.

(a) Any person who violates any provision of this Act, or any rule or regulation adopted by the Commission, or who violates any determination or order made pursuant to this Act, shall be liable to a civil penalty not to exceed \$10,000 for said violation and an additional civil penalty not to exceed \$10,000 for each day during which violation continues, which may be recovered in a civil action in the Circuit Court, sitting in equity and such person may be enjoined from continuing such violation.

(b) Any money so recovered shall be deposited in the State Treasury to the account of the Commission.

(c) It shall be the duty of the Commission, or Attorney General of the State, or of the District Attorney of the Judicial Circuit under his direction, to bring such actions, in the Circuit Court in the name of the State of Alabama.

(d) Any person who knowingly violates or fails or refuses to obey or comply with this Act or any rule or regulations or order adopted hereunder or knowingly submits any false information under this Act or any rule or regulation hereunder shall be guilty of a misdemeanor and upon conviction may be sentenced to hard labor for the county for not more than one year.

(e) The issuance of an order shall not be a condition precedent to the commencement of an action under this section.

Section 11. Enforcement.

(a) Whenever the Commission has cause to believe that any person is violating any rule or regulation adopted or promulgated by the Commission, the Commission shall cause a prompt investigation to be made in connection therewith.

(b) If upon inspection the Commission discovers a condition which is in violation of the provisions of this Act or any rule or regulation adopted or promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease.

(c) The person responsible shall make the corrections necessary to comply with the requirements of this Act or rule or regulation promulgated pursuant thereto within the time specified in the order.

(d) Nothing herein shall be deemed to prevent the Commission from prosecuting any violation of this Act or any rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with the order.

(e) Any person aggrieved by an order of the Commission under this Act may, upon application made within 10 days after notice thereof, be entitled to a hearing before the Commission which shall within 30 days thereafter hold a hearing of which at least 10 days written notice shall be given to such persons. Within 30 days after such hearing the Commission shall issue an appropriate order modifying, approving or disapproving its order. A copy of such order shall be served upon all interested parties. Pending the determination by the Commission and upon application therefor the Commission may stay the operation of such order upon such terms and conditions as it may deem proper.

(f) The testimony taken at any hearing shall be under oath and may be recorded stenographically, but the parties shall not be bound by the strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearing shall be furnished to any part thereto upon request and at his expense.

(g) Any hearing required by this Act to be held before the Commission shall be held before a hearing officer designated by the Chairman who shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation in any such hearing. The Commission, at the request of any interested person may subpoena and compel the attendance of such witnesses as such person may designate and require the production for examination of any books or papers relating to any matter under investigation in any such hearing.

(h) Any duly designated employee of the Commission may administer oath to witnesses and may conduct hearings or investigations and any such duly designated employee of the Commission may sign and issue subpoenas requiring persons to appear before him or the Commission and the Commission, through its designated officers, shall have the power to serve said subpoenas upon any such person by sending a copy of such subpoena through the United States mail, postage prepaid, which said mail shall be registered with return receipt attached and such service shall be complete when said registered mail shall be delivered to said person and such receipt returned to the Commission or its designated employee, signed by the person sought to be subpoenaed. Obedience to a subpoena issued by the Commission or any person authorized and designated by the Commission to issue said subpoena may be enforced by application to any judge of the Circuit Court of the county in which said subpoena was issued or to the judge of any Circuit Court in which such person subpoenaed resides in the same manner as is provided by law for the grand jury of a county to enforce its subpoenas and with the same penalty as provided therefor for the failure of any person failing or refusing to comply with such subpoena.

Section 12. Variances.

(a) The Commission may grant individual variances beyond the limitations prescribed in this Act, whenever it is found, upon presentation of adequate proof, that compliance with any rule or regulation, requirement or order of the Commission would impose serious hardship without equal or greater benefits to the public, and the emissions occurring or proposed to occur do not, either alone or in conjunction with emissions from other sources, endanger or tend to endanger human health or safety. In granting or denying a variance the Commission shall file and publish a written opinion stating the facts and reasons leading to its decision.

(b) In granting a variance the Commission may impose such conditions as the policies of this Act may require. If the hardship complained of consists solely of the need for a reasonable delay in which to correct a violation of this Act or of the Commission regulations, the Commission may condition the grant of such variance upon the posting of sufficient performance bond or other security to assure the correction of such violation within the time prescribed.

(c) Any variance granted pursuant to the provisions of this section shall be granted for such period of time, not exceeding one year, as shall be specified by the Commission at the time of the grant of such variance, and upon the condition that the person who receives such variance shall make such periodic progress reports as the Commission shall specify. Such variance may be extended from year to year by affirmative action of the Commission, but only if satisfactory progress has been shown.

(d) Any person seeking a variance or an extension of a variance shall do so by filing a petition for variance with the Commission, which shall promptly give notice of such petition in a newspaper of general circulation in the county in which the installation or property for which variance sought is located. The Executive Director shall promptly investigate such petition, consider the views of persons who might be adversely affected by the grant of a variance, and make a recommendation to the Commission as to the disposition of the petition. If the Commission, in its discretion, concludes that a hearing would be advisable, or if any person files a written objection to the grant of such variance within 21 days, then a hearing shall be held, under the rules prescribed in Section 7 of this Act, and the burden of proof shall be on the petitioner.

(e) The Commission shall take final action upon a variance request or request for extension thereof within 90 days after the filing of the petition, and shall notify such petitioner of such action.

(f) A variance or extension thereof shall not be a right of the applicant or holder thereof but shall be in the discretion of the Commission.

Section 13. Administration.

(a) The Director of the Bureau of Environmental Health, of the Department of Public Health shall serve as Executive Director to the Commission.

(b) The Executive Director, or his authorized representative, shall attend all meetings of the Commission, but shall not be entitled to a vote.

(c) The Executive Director, or his authorized representative, during the interim between meetings of the Commission, shall handle such correspondence, and obtain, assemble or prepare such reports and data as the Commission may direct or authorize and shall make inspections and investigations into all situations wherein an air pollution problem may exist.

(d) The Executive Director shall be responsible for making recommendations to the Commission for the issuance of formal complaints by the Commission and for the presentation of such complaints before the Commission, and shall have such other duties as the Commission may prescribe.

(e) The Executive Director shall be the enforcement officer of the rules, regulations, orders and directives of the Commission.

(f) Administrative, technical, scientific and other services shall be performed under the direction of the Executive Director and the Executive Director shall exercise supervision over the employees of the Commission. The Executive Director shall have the authority to employ and discharge employees of the Commission.

(g) In administering this Act through the Department of Public Health, the Commission may delegate to its Executive Director or employees authority to perform any act or duty necessary or incidental to the administration of this Act, except the making of rules and regulations.

Section 14. Provision for Local Programs.

(a) Except as provided herein, it is the intention of this Act to occupy by preemption the field of air pollution control within all areas of the State of Alabama. However, nothing herein shall be construed to limit or abrogate any private remedy or cause of action now available to any person for the alleviation, abatement, control, correction, or prevention of air pollution or restitution for damages resulting therefrom nor shall be construed to create any new private remedy or cause of action.

(b) Each municipal governing body, which had municipal ordinances in effect on or before July 1, 1969, which pertain to air pollution control, and each county governing body are hereby authorized to establish and maintain an air pollution control program for its jurisdiction which shall be administered, respectively, by City and County Air Pollution Control Boards, hereinafter referred to as "Board".

(1) In the case of municipal governing bodies, the Board shall be the air pollution control boards created by ordinances of such municipal governing bodies, which ordinances provided for the establishment, the appointment of members and designation of terms thereof, and the duties of such air pollution control boards.

(2) In the case of county governing bodies, the Board shall be composed of seven members. One member shall be the County Health Officer of such county who shall serve so long as he holds that office and who shall be the Chairman of the Board. The other six members of the Board shall be appointed by the county governing body as follows: two of its members shall be representative of the public; two if its members shall be representative of public health and both shall be physicians licensed to practice in this State and currently engaged in the practice of medicine in this State; and two of its members shall be representative of industry or manufacturing and both shall be individuals knowledgeable of air pollution control and actively engaged in a management position in industry or manufacturing for at least five years immediately prior to appointment. No member of the County Air Pollution Control Board, other than the representatives of industry and manufacturing may be an officer, employee, agent, or stockholder owning five per cent of the voting stock of a corporation or organization holding a permit from the Commission or Board for the discharge of air contaminants into the atmosphere. All of the members appointed by the county governing body shall have been residents of that county for not less than two years prior to their respective appointments. The term of each appointed member shall be four years or until a successor is duly appointed, except that the terms of one representative of the public, one representative of public health, and one representative of industry and manufacturing of those first appointed shall expire at the end of two years as designated by the county governing body at the time of appointment. Vacancies in the appointed membership shall be filled for unexpired terms in the manner in which original appoint-

ments are required to be made. Any appointed member shall be eligible to succeed himself. Four members of the Board shall constitute a quorum for the transaction of business. Any official action of the Board must be by majority vote of those present and voting. The Board shall hold regular meetings at least one each calendar quarter. The Chairman, or any three members of the Board, may call a special meeting for any stated purpose on at least 24 hours notice to each member. No member may designate by proxy or otherwise an alternate representative to attend any meeting of the Board. No member of the Board shall be compensated for serving as a member of said board, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Commission being considered a part of their official duties. Members may be reimbursed for actual or necessary travel substance and other expenses incurred in the discharge of their duties and as directed or requested by the Board from any funds which are or may become available to the Board. The county governing body establishing an air pollution control program and each municipal governing body within such county are hereby authorized to appropriate such sums to the Board as it may determine necessary and desirable for the establishment, administration and enforcement of such program. The County Health Department shall be the administrative agency for the Board.

(c) Each Board authorized or established pursuant to this section may exercise all of the jurisdiction, within the city or county to which the Board relates, over air pollution control matters herein granted to the Alabama Air Pollution Control Commission; provided, however, that no Board shall have the power to make, adopt or promulgate rules and regulations. Each Board is expressly authorized to enforce all rules, regulations, and standards adopted or promulgated by the Commission which are applicable within the city or county to which the Board relates. All of the enforcement authority and judicial remedies provided by this Act shall be available and enforceable by such Board.

(d) No County Air Pollution Control Board established pursuant to this section shall have the authority to exercise air pollution control jurisdiction within the bounds of any incorporated municipality or the police jurisdiction thereof having an air pollution control board as herein before authorized.

(e) (1) If the Commission has reason to believe that a local air pollution control program established or authorized pursuant to this section is inadequate to prevent and control air pollution in the jurisdiction to which such program relates, or that such program is being administered in a manner inconsistent with the requirements of this Act, the Commission shall, on due notice to the appropriate Board, conduct a hearing on the matter.

(2) If, after such hearing, the Commission finds that such program is inadequate to prevent and control air pollution in the jurisdiction to which such program relates, that such program is not accomplishing the purposes of this Act, that such program is not adhering to the requirements of subsection (f), or that such program is being administered in a manner inconsistent with requirements of this Act, the Commission may preempt the enforcement authority of such Board. At the expiration of one year from the initial preemption, the Commission may, by resolution, return the enforcement authority to the Board, in which case said Board shall immediately have and exercise all of the jurisdiction and authority authorized by this section if no preemption had occurred.

(f) (1) Each Board which has been authorized or established and which administers an air pollution control program pursuant to this sec-

tion shall submit to the Commission a detailed report of its activities during the previous year. Such annual report shall be submitted as of October 1 of each year. Such reports shall include, but not be limited to, information regarding:

(i) Need for new or additional rules and regulations to control or prevent air pollution in the city or county to which such Board relates;

(ii) Administrative organization;

(iii) Staff, Financial and other resources;

(iv) Enforcement activities;

(v) Emission inventories;

(vi) Air quality monitoring systems and data;

(vii) Progress and problems related to administration of the local air pollution control program; and,

(viii) Any other information which the Commission may reasonably require.

(2) The Commission may also require special interim reports by such Board regarding activities of its local air pollution control program.

(g) Nothing in this section shall be construed to prohibit the Commission from enforcing any provision of this Act or any rule or regulation issued thereunder, nor to supersede or oust the jurisdiction of the Commission in any matter.

Section 15. Motor Vehicle Pollution.

(a) As the state of knowledge and technology relating to the control of emissions from motor vehicles may permit or make appropriate, and in furtherance of the purposes of this Act, the Commission may provide by rules and regulations for the control of emissions from any class or classes of motor vehicles. Such rules and regulations may in addition, prescribe requirements for the installation and use of equipment designed to reduce or eliminate emissions and for the proper maintenance of such equipment and of such vehicles.

(b) (1) The Commission may establish standards and requirements providing for periodic inspections and testing of motor vehicles by the Commission to enforce compliance with this section.

(2) The Commission may establish reasonable fees for the inspection and testing of motor vehicles and provide by rules and regulations for the payment and collection of such fees.

(3) If, after inspecting and testing any motor vehicle, the Commission determines that such motor vehicle complies in every respect with rules, regulations, standards and requirements issued by the Commission pursuant to this section, the Commission shall attach to such vehicle in a clearly visible location a certificate of inspection and approval.

(c) (1) The Commission may suspend or revoke the certificate of inspection and approval of any motor vehicle not equipped with an air pollution control system or mechanism in good working order and adjustment as required by the rules and regulations of the Commission. The vehicle shall not thereafter be eligible for such certificate until all parts and equipment constituting operational elements of the motor

vehicle have been restored, replaced or repaired and are in good working order.

(2) No motor vehicle shall be issued an official certificate of inspection and approval as required pursuant to this section, unless all features or equipment required in or on the motor vehicles for the purpose of controlling emissions therefrom have been inspected in accordance with the standards and testing techniques required by the Commission pursuant to sub-section (b) hereof and have been found to meet these standards.

(3) No person shall drive or move and no owner shall cause or knowingly permit to be driven or moved on any highway any motor vehicle unless the vehicle is equipped with an air pollution control system or mechanism in good working order and adjustment as required by rules and regulations of the Commission.

(4) When, and if, the Commission shall establish standards, and requirements for periodic inspections and testing of motor vehicles pursuant to subsection (b) hereof, no person shall drive or move and no owner shall cause or knowingly permit to be driven or moved on any highway any motor vehicle unless there is attached to such vehicle by the Commission a valid certificate of inspection and approval which has not been suspended or revoked.

(5) Failure to comply with subparagraphs (3) and (4) of this subsection shall subject the driver or owner to a penalty as provided in this Act.

(d) The Commission, in its discretion, is hereby authorized to delegate any or all of the authority vested in it by this section to any agency or instrumentality of the State now or hereafter authorized to inspect motor vehicles for any purpose.

(e) As used in this section "motor vehicle" shall mean every self-propelled device in, or upon or by which any person or property is or may be transported or drawn upon a public highway.

Section 16. Limitations. Nothing in this Act shall be construed to:

(a) Grant to the Commission any jurisdiction or authority with respect to air contamination existing solely within commercial and industrial plants, works or shops;

(b) Affect the relations between employers and employees with respect to or arising out of any condition of air contamination or air pollution; or

(c) Supersede or limit the applicability of any law or ordinance relating to sanitation, industrial health or safety.

Section 17. Severability. The provisions of this Act are severable and if any part, section, subsection, clause, paragraph or phrase of this Act shall be adjudged to be invalid or unconstitutional by any court of competent jurisdiction, the judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the part, section, subsection, clause, paragraph or phrase of this Act that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 18. Funds. All appropriations and other funds deposited in the State Treasury to the account of the Commission are hereby appropriated to the Commission and shall be used for carrying out the purposes of this Act.

Section 19. Act Intended to Supplement Existing Law. This Act is intended to supplement existing law, and no part thereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the control of radiation; however, Act No. 1135, Regular Session of 1969 (Gen. Acts 1969, p. 2100) is hereby expressly repealed.

Section 20. Effective Date. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Mr. McLain moved that said substitute for the Bill, S. B. 341, as amended, be laid on the table, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Edington	Littleton	Owen
Bailes	Fine	Lybrand	Pierce
Carr	Foshee	McLain	Shelby
Dominick	Jones	O'Bannon	Weaver

—15

Nays:

Messrs.:	Dozier	Horne	Register
Branyon	Gilmore	King	Vacca
Clark	Givhan	Malone	Wilder
Cook	Harris	Noonan	Wilson
Cooper	Hawkins	Pelham	

—18

The question was then on the substitute offered by Mr. Wilson for the Bill, S. B. 341, as amended, and said substitute was then adopted.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Foshee	Horne	Pelham
Branyon	Gilmore	King	Register
Clark	Givhan	Malone	Vacca
Cook	Harris	Noonan	Wilder
Cooper	Hawkins	Owen	Wilson
Dozier			

—20

Nays:

Messrs.:	Edington	Littleton	Pierce
Bailes	Fine	Lybrand	Shelby
Carr	Jones	McLain	Weaver
Dominick	Lindsey	O'Bannon	

—14

Mr. Wilson then offered the following amendment to the Bill, S. B. 341, as amended by the substitute, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 341

Amend Senate Bill 341 as substituted by striking Section 14 and substituting in lieu thereof the following:

“(a) Except as provided herein, it is the intention of this Act to occupy by pre-emption the field of air pollution control within all areas of the State of Alabama. However, nothing herein shall be construed to limit or abrogate any private remedies now available to any person for the alleviation, abatement, control, correction, or prevention of air pollution or restitution for damages resulting therefrom.

(b) Subject to the provisions of this Section, each municipal governing body, which had municipal ordinances in effect on or before July 1, 1969, which pertain to air pollution control and which provide for the creation and establishment of an air pollution control board, and each county Board of Health shall have the authority to establish, and thereafter administer, within its jurisdiction a local air pollution control program, which:

(1) Provides, subject to subsection (d) by ordinance, regulation, or resolution, for requirements for the control or prevention of air pollution consistent with, or more strict than, those imposed by this Act or the rules, regulations and standards promulgated by the Commission hereunder;

(2) Provides for the enforcement of such requirements by appropriate administrative and judicial process. Each such municipal governing body and each county Board of Health establishing a program hereunder is hereby authorized and required to advertise and adopt all rules and regulations in accordance with the same procedure provided herein for the adoption of said rules, regulations and standards by the Commission, and all judicial remedies provided by this Act shall be available and enforceable by such municipal governing body and by such county Board of Health; and

(3) Provides for administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its program. The Board of County Commissioners of each county, and the council or other governing body of each municipal governing body within the jurisdiction of a local air pollution control program established by a county Board of Health, is hereby authorized to appropriate such sums as it may determine necessary and desirable for the establishment, administration and enforcement of such a program.

(c) No county Board of Health shall have the authority to exercise air pollution control jurisdiction within the bounds of any incorporated municipality or the police jurisdiction thereof having an air pollution control program as herein before authorized.

(d) Any such municipal governing body and each county Board of Health may adopt and enforce any ordinance, regulation, or resolution requiring the control or prevention of air pollution unless the Commission finds within 60 days of such adoption, such ordinance, regulation, or resolution is less strict than those imposed by this Act and regulations issued hereunder, or that such ordinance, regulation, or resolution was not adopted in accordance with procedures consistent with those provided herein; and provided that such municipal governing body or county Board of Health notifies the Commission of the adoption of such ordinance, regulation, or resolution within 15 days of such adoption.

(e) (1) If the Commission has reason to believe that a local air pollution control program established pursuant to subsection (b) is inadequate to prevent and control air pollution in the jurisdiction to which such program relates, or that such program is being administered in a manner inconsistent with the requirements of this Act, the Commission shall, on due notice, conduct a hearing on the matter.

(2) If, after such hearing, the Commission finds that such program is inadequate to prevent and control air pollution in the jurisdiction to which such program relates, that such program is not accomplishing the purposes of this Act, that such program is not adhering to the requirements of subsection (f), or that such program is being administered in a manner inconsistent with requirements of this

Act, the Commission may preempt the local enforcement authority of such program.

(f) (1) Each municipal governing body or county board of health which has established and administers a local air pollution control program pursuant to this section shall submit to the Commission a detailed report of its activities during the previous year. Such annual report shall be submitted as of October 1 of each year. Such reports shall include, but not be limited to, information regarding:

(i) Ordinances and resolutions adopted or under consideration requiring control or prevention of air pollution; and administrative procedures followed in such adoption;

(ii) Administrative organization;

(iii) Staff, financial and other resources;

(iv) Enforcement activities;

(v) Emission inventories;

(vi) Air quality monitoring systems and data;

(vii) Progress and problems related to administration of the local air pollution control program; and,

(viii) Any other information which the Commission may reasonably require.

(2) The Commission may also require special interim reports by such municipal governing body or county board of health regarding activities of its local air pollution control program.

(g) Nothing in this section shall be construed to prohibit the Commission from enforcing any provision of this Act or any rule or regulation issued thereunder, nor to supersede or oust the jurisdiction of the Commission in any matter."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

--33

Nays:

—0

Mr. Dominick offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO S. B. 341, AS AMENDED

Amend Senate Bill 341 as amended by adding a new subsection (f) to Section 10 as follows:

"(f) As hereinafter provided, any person may bring suit to enjoin any actual or threatened violation of any provision of this

Act or any rule, regulation, standard, order or permit issued under it. The right of any person to seek such an injunction shall be conditioned upon a written petition, stating therein the grounds upon which the injunction is sought, requesting the Commission and the Attorney General to commence such action. Should neither the commission nor the Attorney General file such action within fifteen days of receipt of a petition therefor, then any person may institute such action in his own name in the county or counties where pollution occurs or in which the defendant resides or does business. If the court has reasonable ground to doubt the solvency of the plaintiff or the plaintiff's ability to pay any cost or judgment which might be rendered against him in an action brought under this Act, the court may order the plaintiff to post a cost bond or cash not to exceed \$500.00. If, in such suit, the court holds that injunctive relief should be granted, then the State shall be made a party and shall be substituted by order of the court for the person who brought the suit and the injunction, whether temporary or permanent, shall be issued as if the State had at all times been the complaining party."

And said amendment was then lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Shelby
Dominick	Jones	McLain	Wilson

—15

Nays:

Messrs.:	Dozier	Horne	Register
Branyon	Gilmore	King	Vacca
Clark	Givhan	Malone	Weaver
Cook	Harris	Noonan	Wilder
Cooper	Hawkins	Pelham	

—18

Mr. Dominick then offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO S. B. 341, AS AMENDED

Amend subsection (a) of Section 4 of Senate Bill 341 as amended by deleting "two (2)" from line 3 thereof and substituting "three (3)" in lieu thereof, and further by deleting "Two" from line 10 and substituting "one" in lieu thereof, and further by deleting "Both shall be individuals" and substituting in lieu thereof "He shall be an individual".

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Foshee	Hawkins	Pelham
Clark	Gilmore	Horne	Register
Cook	Givhan	King	Vacca
Cooper	Hammond	Malone	Wilder
Dozier	Harris	Noonan	Wilson

—19

Nays:

Messrs.:	Dominick	Lindsey	Owen
Bailes	Edington	Littleton	Pierce
Branyon	Fine	Lybrand	Shelby
Carr	Jones	O'Bannon	Weaver

—15

RESOLUTIONS

Messrs. Fine, Bailes, Branyon Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder and Wilson offered the following Senate Resolution, to-wit:

S. R. 57. WHEREAS, Corporal Cosper Pitchford, Trooper with the Alabama Department of Public Safety, has been re-assigned to the Montgomery office of the Alabama Highway Patrol; and

WHEREAS, Trooper Pitchford, a native of Tallapoosa County and resident of Eufaula, was assigned to the Lieutenant Governor's office in January, and, as driver and security guard, has put in many eighteen-hour days of devoted duty; and

WHEREAS, Cosper has rendered invaluable service not only to the Lieutenant Governor, but to members and staff of the Senate as well, gaining for himself the admiration and affection of all of his associates; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA That we shall greatly miss Trooper Pitchford's presence in the legislative halls, and we wish him well in his new assignment.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Trooper Pitchford.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Vacca, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Weaver, Wilder and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. WHEREAS, Alabama can boast of having 10% of our nation's natural resources, which includes extensive timber reserves; an expanding inland and seaport docks facilities, and an excellent rapport between labor and management; and

WHEREAS, this great state has a strategically located network of Trade Schools, Technical Institutions, and Junior Colleges and is currently developing an Industrial Training Program that will respond to the specific vocational skills of a newly located or expanding industry thereby allowing for a profitable operation during the first few months of existence; and

WHEREAS, the executive and legislative branches of state government have, over the years, been responsible for promoting legislation that provides new or expanding industry with substantial tax credits,

site preparation grants, and long term, low interest financing; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE REPRESENTATIVES CONCURRING, That we do hereby express our personal and collective interest in the Ohio based Foremost Furniture Company's express desire to locate in the Southeastern United States and urge them to investigate the advantages which Alabama has to offer the furniture industry; and

BE IT FURTHER RESOLVED, That duly authenticated copies of this resolution be transmitted to Mr. Irwin Turner, Vice President of Foremost Furniture Company, of Archibald, Ohio, and to Mr. Fred Denton, Director of Industrial Development for the State of Alabama.

On motion of Mr. Vacca, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 59. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, July 27, 1971.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 341

The Senate proceeded to further consideration of the Bill, S. B. 341, as amended.

Mr. Harris offered the following amendment to the Bill, S. B. 341, as amended, to-wit:

AMENDMENT TO SENATE BILL 341, AS AMENDED

Amend Senate Bill 341, as amended, by adding a new subsection (i) to Section 10 as follows:

"(i) As hereinafter provided, any class of no less than five (5) adult resident citizens of the county in which the injunction is sought may bring suit to enjoin any actual or threatened violation of any provision of this Act or any rule, regulation, standard, order or permit issued under it. The right of any such class to seek such an injunction shall be conditioned upon a written sworn petition, stating therein the grounds upon which the injunction is sought, requesting the Commission and the Attorney General to commence such action. Should neither the commission nor the Attorney General file such action within fifteen days of receipt of a petition therefor, then any such class may institute such action in their own names in the county or counties where pollution occurs. If the court has reasonable ground to doubt the solvency or the ability of the class to pay any cost or judgment which might be rendered against them in an action brought under this Act, the court may order the plaintiffs to post a cost bond or cash not to exceed \$500.00. If, in such suit, the court holds that injunctive relief should be granted, then the State shall be made a party and shall be substituted by order of the court for the person who brought the suit and the injunction, whether temporary or permanent, shall be issued as if the State had at all times been the complaining party."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	Lybrand	Shelby
Clark	Harris	McLain	Vacca
Cook	Hawkins	Malone	Weaver
Cooper	Horne	Noonan	Wilder
Dominick	Jones	Owen	Wilson

—31

Nays:

—0

And said Bill, S. B. 341, as amended, was read a third time at length and passed, and ordered sent forthwith to the House with engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	Owen	

—34

Nays:

—0

On motion of Mr. Wilson, unanimous consent was granted to add the names of Messrs. Bailes, Cook, Cooper, Lybrand, Fine, Foshee, Hammond, King, Littleton, Noonan and Pelham as co-sponsors of the Bill, S. B. 341.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 116. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 27, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 116, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RECESS

At 4:30 P. M., Mr. Pelham moved that the Senate take a Recess until the Joint Session at 7:30 tonight, to reconvene in the Senate Chamber at the completion of the Joint Session.

Mr. Pierce moved as a substitute motion that the Senate take a Recess until 8:10 tonight, with the understanding that no bills would be taken up, which motion was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Dominick	Foshee	King	
Bailes	Dozier	Gilmore	Pierce	
Carr	Edington	Hawkins	Vacca	
Cook	Fine	Jones		—14

Nays:

Messrs.:	Hammond	Lybrand	O'Bannon	
Branyon	Harris	McLain	Owen	
Clark	Horne	Malone	Pelham	
Cooper	Lindsey	Noonan	Weaver	
Givhan				—16

The question was then on the motion of Mr. Pelham, which was adopted, and at 4:35 P. M., the Senate took a recess until 8:05 tonight.

JOINT SESSION

At 7:30 o'clock P. M., the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the Message of His Excellency, the Governor, Honorable George C. Wallace.

The Session was called to order by Lieutenant Governor Beasley, Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable George C. Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

(See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, the Senate returned to its Chamber.

NIGHT SESSION

TWENTIETH LEGISLATIVE DAY

THURSDAY, JULY 22, 1971

The Senate re-assembled at 8:05 P. M., Lieutenant Governor Beasley presiding.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and, as amended, has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 56. Relative to why the Legislature of Alabama is not under a mandatory constitutional duty to reapportion itself by the end of its current Session or at a Special Session prior to December 31, 1971.

JOHN W. PEMBERTON,
Clerk

HOUSE MESSAGE

On motion of Mr. Pelham, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 56, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. J. R. 56

WHEREAS, on July 22, 1971, an ORDER TO SHOW CAUSE was issued out of the United States District Court for the Middle District of Alabama, Northern Division, in a suit pending in that Court entitled M. O. Sims, et. al., Plaintiffs, vs. Mabel Amos, Secretary of the State of Alabama, et. al., Defendants, which such ORDER TO SHOW CAUSE directs that the Defendants appear within ten days from July 22, 1971, and show cause why the Legislature of Alabama is not under a mandatory constitutional duty to reapportion itself by the end of its current Session or at a Special Session prior to December 31, 1971; and

WHEREAS, it is desirable that the Legislature of Alabama consult and confer immediately with the parties Defendant in such cause and to advise with such Defendants in the preparation and submission of an answer to the said ORDER TO SHOW CAUSE and to otherwise maintain liaison with such Defendants all to the end that the interest of the Government and people of the State of Alabama shall be preserved and protected; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative Committee to consist of three (3) members from the House, to be appointed by the Speaker, and three (3) members from the Senate, one of which will be the President Pro Tem of the Senate, and the other two members of the Senate to be appointed by the Lieutenant Governor. This Committee shall have the authority to employ counsel to assist the Legislature of Alabama in the above mentioned court action. The funds from which counsel shall be paid shall come from monies appropriated to the Legislature. This counsel shall work and assist with other attorneys and the Attorney General in defending the Legislature in this action.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Pelham, Dozier and Cook.

INTRODUCTION OF BILLS

Upon a call of district bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wilson:

S. 875. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 876. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 877. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 878. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 879. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 880. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 881. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 882. To authorize Alabama Public School and College Authority to sell and issue \$10,000,000 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sale thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds and the bonds of the Authority that may be issued under Act No. 94 adopted at the 1971 Special Session of the Legislature, from proceeds of the residue of certain excise taxes, and that the appropriation and pledge made in this Act shall be in lieu of that made in the said Act No. 94; to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, pro rata

with the principal of and interest on the bonds issued under the said Act No. 94, the moneys so appropriated and pledged in this Act; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 883. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System so as to make further provision for the payment of accrued liability contributions by the State of Alabama.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 884. To amend Title 51, Section 910, Code of Alabama of 1940, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 885. To amend Title 51, Section 176, Code of Alabama 1940, as amended, to increase the amount of the license and to reduce the assessment percentages.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 886. To amend Title 51, Section 177, Code of Alabama 1940, as amended, to increase the rate of taxation.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 887. To amend Title 51, Section 178, Code of Alabama 1940, as amended, to increase rate of taxation.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 888. To amend Title 51, Section 180, Code of Alabama 1940, as amended, to delete the provision for the exemption of the first one hundred fifty thousand dollars from taxation.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 889. To amend Title 51, Section 182, as amended, Code of Alabama 1940, as amended, to delete the exemption of the first \$50,000.00 from taxation.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 890. To amend Section 183, Title 51, Code of Alabama 1940 to provide for a license tax on telegraph business measured by gross receipts rather than the mileage of the telegraph line, or lines, operated by it in the State.

Committee on Finance and Taxation.

By Messrs. Clark, Carr and Owen:

S. 891. To make appropriations from the State Treasury for capital improvements.

Committee on Finance and Taxation.

By Messrs. Givhan, Owen, Shelby, Weaver, Branyon, Hammond and Vacca:

S. 892. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, so as to increase the membership of said board from three to five members and to provide that all members shall be appointed by the Governor with the advice and consent of the Senate.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Shelby:

S. 893. Creating a presumption as to the delivery of instruments conveying interests in land.

Committee on Judiciary.

By Mr. Shelby:

S. 894. Limiting the Duration of Contracts for the Sale of Land and Notice thereof.

Committee on Judiciary.

By Mr. Shelby:

S. 895. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Committee on Judiciary.

By Mr. Shelby:

S. 896. Giving the protection afforded an innocent purchaser for value to those receiving quitclaim deeds or similar instruments.

Committee on Judiciary.

By Mr. Shelby:

S. 897. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Committee on Judiciary.

By Mr. Shelby:

S. 898. Repealing Section 21, of Title 9, of the Alabama Code of 1940, relating to contracts entered into on Sunday and to validate contracts heretofore entered into on Sunday.

Committee on Judiciary.

By Mr. Shelby:

S. 899. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

Committee on Judiciary.

By Mr. Shelby:

S. 900. To amend further Act No. 624, H. 291 of the Regular Session of 1965 (Acts 1965, p. 1137), as amended, which applies only to certain counties on a population basis and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, prescribes penalties for falsification of such endorsements, and regulates further the duties of the judges of probate relative to such documents, so as to give said Act No. 624 of 1965, as amended, statewide effect.

Committee on Judiciary.

By Mr. Shelby:

S. 901. To limit the duration of options to purchase land and the duration of notice of recorded options.

Committee on Judiciary.

By Mr. Shelby:

S. 902. Curing certain defects in recorded instruments affecting title to land.

Committee on Judiciary.

By Mr. Shelby:

S. 903. To repeal Section 73, of Title 34, of the Alabama Code of 1940, relating to the joinder of the husband in the deed of the wife.

Committee on Judiciary.

By Mr. Shelby:

S. 904. Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a conclusive presumption as to the power of certain corporate officers; and to regulate further ultra vires acts of all corporations organized for private profit, and provide further for the use by such corporations of the defense of ultra vires.

Committee on Judiciary.

By Mr. Shelby:

S. 905. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

Committee on Judiciary.

By Mr. Shelby:

S. 906. To regulate further the powers and authority of attorneys or agents acting under written powers of attorney.

Committee on Judiciary.

BILLS ON THIRD READING

The Bill:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

was taken up.

ADJOURNMENT

At 8:50 P. M., on motion of Mr. Fine, in accordance with Joint Resolution heretofore adopted, and pending further consideration of H. B. 138, the Senate adjourned until Tuesday, July 27, 1971, at 12 o'clock Noon.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Dozier	Hawkins	Pelham	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Foshee	Lindsey	Wilder	
Dominick	Gilmore	Malone	Wilson	—19

Nays:

Messrs.:	Givhan	Horne	Noonan	
Branyon	Hammond	Lybrand	Owen	
Clark	Harris	McLain	Weaver	
Cooper				—12

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, JULY 27, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Mr. Sam Mason, Student, Virginia Theological Seminary, Alexandria, Virginia.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	—35

JOURNAL

On motion of Mr. Lybrand, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 35. Congratulating Miss Kitty Winn.

Also:

S. J. R. 55. Extending best wishes to Mr. Neal H. Chandler.

Also:

S. J. R. 56. Creating a Joint legislative committee to employ counsel to assist the Legislature in court action on reapportionment.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Taylor, Therrell, Wallace, Wise, O'Daniel, Turnham, Cottingham, Nettles, Owens, Gloor, Adwell, Jones (E), Boles, Parker (H), Naramore, Crowe, Falkenburg, Downing, Erdreich, Stewart, Doss, Weeks, Boutwell, McBride, Waggoner, Meeks, Jones (F), Straiton, Reed (T), Harris, Headley, Mims, Warren, Perloff, Lang, Cauthen, McDonald, Lutz, Grainger, Carter, King, Wynot, Grey (D), Reid (R), May, Parker (T), Easters, Brassell, Connell, Turner, Edwards, Smith (K), Agee, Wood, Bank, Waldrop, Hobbie, Smith (P), Flippo, Casey, Goodwin and Roberts:

H. 198. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 198. To the Committee on Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1331. To amend the title and Section 1 of Act No. 206, H. 401, Regular Session 1961 (Acts 1961, p. 238), which prohibits probate judges from charging any fee for administering an oath or taking or acknowledging an affidavit, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1332. To amend the title and Section 1 of Act No. 200, H. 417, Regular Session 1961 (Acts 1961, p. 235), which regulates further the purchasing practices of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1333. To amend the title and Section 1 of Act No. 208, H. 403, Regular Session 1961 (Acts 1961, p. 239), which provides for appointment, compensation, duties, and authority of deputy circuit solicitors in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1334. To amend the title and Section 1 of Act No. 589, H. 1039, Regular Session 1961 (Acts 1961, p. 697), which provides that witness certificates obtained as a state's witness before certain judicial bodies and proceedings shall be paid immediately upon presentation for payment, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1335. To amend the title and Section 1 of Act No. 379, H. 793, Regular Session 1961 (Acts 1961, p. 393), which provides for, authorizes, and describes the type of hospital records which may be introduced as evidence in the courts of certain counties classified on a population basis; further provides procedures for proper introduction thereof and provides for the taxing of costs in connection therewith.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1336. Relating to meetings and compensation of members of boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1337. To amend the title and Section 1 of Act No. 138, H. 139, Special Session 1969 (Acts 1969, p. 204), which provides for the Constable of the County Courts to serve as bailiff and provides compensation therefor, certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1338. To amend the title and Sections 1 and 2 of Act No. 337, H. 791, Regular Session 1961 (Acts 1961, p. 392), which allows the county commission of certain counties classified on a population basis to fix and set aside by resolution certain days of the week for the closing of offices in said county court house.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1339. To amend the title and Section 1 of Act No. 70, H. 103, Special Session 1962 (Acts 1962, p. 94), which provides for the distribution and use of revenue received from the property tax levied pursuant to Amendment CCII of the Alabama Constitution of 1901, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1340. To amend the title and Section 1 of Act No. 24, H. 18, Special Sesssion 1962 (Acts 1962, p. 34), which provides for feeding of prisoners in jail, retroactivity of this Act, and validates certain allowances which may have heretofore been made for the feeding of such prisoners, in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339 and 1340. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dill, Meeks, Falkenburg, Jones (E), Boutwell, Wallace, Parker (H), Timmons and Gafford:

H. 534. To provide that in any county in the State having a population of 600,000 or more according to the last or any subsequent federal census any person who in payment of any tax issues a worthless check or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty.

Also:

By Messrs. Dill, Meeks, Adwell, Boutwell, Timmons and Parker (H):

H. 535. To amend Section 4 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

By Messrs. Cherner, Dill, Weeks, McBride, Timmons, Doss, Jones (E), Wallace, Gloor, Waggoner, Falkenburg, Parker (H), Erdreich, Bowers, Ellis, Gafford and Boutwell:

H. 686. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled: "To provide that any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment

against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

Also:

By Messrs. Doss, Dill, Boutwell and Wallace:

H. 794. To amend Act No. 405 of the Regular Session of the Legislature of Alabama of 1967, approved September 7, 1967, (Ala. Acts, 1967, p. 1021 et seq.) which levied in each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax upon persons engaged in the business of selling personal property or conducting places of amusement or entertainment, generally paralleling the State sales tax, and an excise tax on the storage, use or consumption in said county of tangible personal property purchased at retail, generally paralleling the State use tax.

Also:

By Messrs. Waggoner, Gafford, Wallace and McBride:

H. 855. To amend Code of Alabama 1940, Title 29, Section 73, in relation to unlawful sites for liquor stores; to exempt from the operation thereof cities having a population of not less than 20,000, nor more than 22,000, according to the most recent federal decennial census.

Also:

By Messrs. Parker (H), Boles and Gafford:

H. 1090. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary lines of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1971 for the adoption of an act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary line of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama be and the same are altered and re-

arranged so as to include within the corporate limits of the said City of Mountain Brook, Alabama in additional to the territory included within its present corporate limits and to exclude from the territory of the City of Birmingham, Alabama certain territory more particularly described as follows:

A part of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows: Commence at the southeast corner of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said Section 33, Township 17 South, Range 2 West and run thence west along the south boundary line of said southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ a distance of 74.34 feet; thence at an angle to the left of 20 degrees 48 minutes in a westerly direction a distance of 371.22 feet; thence at an angle to the right of 77 degrees 28 minutes run in a northerly direction a distance of 157.61 feet to a point on the south boundary line of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 west to the point of beginning. Thence continuing along the last mentioned course run a distance of 102.45 feet; thence at an angle to the right of 97 degrees, 26 minutes run a distance of 229.85 feet; thence at an angle to the right of 82 degrees 34 minutes run in a southeasterly direction to a point on the south boundary of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West, Jefferson County, Alabama; run thence West along said south boundary of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 2 West to the point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review, which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 5, 12, 19, 26, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of June, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Meeks, Boutwell and Adwell:

H. 1217. To amend Act Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 717 et seq.), as hereto-

fore amended, which said Act established a retirement and pension system for the officers and employees of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1971 for the adoption of an act which will be as follows:

AN ACT

TO AMEND ACT NO. 497 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1965 (ALA. ACTS 1965, p. 717 et seq.), AS HERETOFORE AMENDED, WHICH SAID ACT ESTABLISHED A RETIREMENT AND PENSION SYSTEM FOR THE OFFICERS AND EMPLOYEES OF JEFFERSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), is hereby amended so as to read as follows:

Section 4(a). Membership. All officers or employees including retired officers or employees, who are members of either of the previous retirement systems on the date of the establishment of this system shall become members of this system as of the date of its establishment. Except as herein otherwise provided, every person who is an employee of the County on the effective date of this Act, shall become a member of the system as of such date. Any person who is an employee of the County on the effective date of this Act and who is not a members of either of the previous retirement systems on said date shall not become a member of the system unless and until he exercises his option to become a member within the time and in the manner hereinafter provided. The next foregoing sentence shall apply to every employee not belonging to either of the previous retirement systems on the effective date of this Act, regardless of whether he is, or is not, subject to the civil service system applicable to the County. Except as herein otherwise provided, every person becoming an employee of the County subsequent to the effective date of this Act and occupying a position subject to the civil service system applicable to the County shall become a member of the system on the date he enters the service of the County. Except as herein otherwise provided, every person becoming an employee of the County subsequent to the effective date of this Act and occupying a position not subject to the Civil Service System applicable to the County shall not become a member of the system unless he exercises his option to become a member in the manner and within the time hereinafter specified. Anything to the contrary above notwithstanding, a person whose employment is temporary shall not become a member of the system so long as his employment remains temporary. A person's employment shall be deemed to be temporary within the meaning of this Section 4 if such employment is temporary as defined by the civil service system applicable to the County, or if the officer, board, commission or agency employing such person certifies in writing to the Pension Board that said employment is temporary. A person who is an officer of the County on the effective date of this Act and who does not belong to either of previous retirement systems on said date and any person who becomes an officer of the County subsequent to the effective date of this Act shall have the option to become a member of the system in the manner and within the time hereinafter specified. Any officer or employee who has the option to become a member of the system shall state, on a form furnished by the Pension Board, or by the Secretary of said Board, that he elects to become a member;

and he shall become a member on the first day of the calendar month next succeeding the month in which he completes the said form and files it in the office of the Pension Board. A person serving as an employee or officer of the County on the effective date of this Act and who is granted such option shall have six (6) months from said date in which to exercise the said option. A person becoming an officer or employee of the County subsequent to the effective date of this Act and who is granted such option shall exercise said option within six (6) months from the date on which he enters the service of the County. The period during which one is temporarily employed by the County shall not be considered in determining the said six (6) months. The option, once exercised, shall be irrevocable.

If a person who has exercised his option to become a member of the system thereafter leaves the service of the County and returns to the service of the County, he shall become a member of the system upon the date on which he returns to the service of the County if he occupies a position rendering him eligible for membership in the system.

(b) As used in this subsection (b) of this Section 4, the following terms have the meanings hereby ascribed to them: "effective date hereof" means the date on which this subsection (b) becomes a law; "request for exclusion" means the written request of a member signed by him and filed with the Board asking that he be excluded from the pension system; "person eligible for membership" means a person not belonging to the system who is eligible for membership on the effective date hereof, or who would be eligible for membership on said date if the time allowed him for becoming a member had not expired; "date deductions commence" means the first day of the first calendar month following the effective date hereof if that day is as much as 15 days subsequent to the effective date hereof, and if that day is not as much as 15 days subsequent to the effective date hereof "date deductions commence" means the first day of the second calendar month following the effective date hereof.

On the effective date hereof all persons eligible for membership shall become and shall remain members of the system; provided, however, that any person hereby made a member may be excluded from membership by filing his request for exclusion within the time below stated. On and after the date deductions commence, as above defined, the total salary proviso, as defined in subsection (d) of Section 9 of this Act, shall apply to the salaries of all persons hereby made members earned after said date and retroactively to all salaries earned by them prior to that date, except those members who before said date file a request for exclusion. Such proviso shall not apply to any person who files such request before the date such deductions commence.

After the salary deductions commence as to any person, the total salary proviso shall continue to apply to him so long as he is a member, unless within 30 days after the date deductions commence he files his request for exclusion. Upon his filing such request for exclusion within said 30 days, he shall be excluded from the system; and the deduction shall no longer apply to his salary. Upon a person filing his request for exclusion, within the prescribed time, the Board shall promptly return to him any salary deductions the pension fund received from his salary on account of his becoming hereby subject to the total salary proviso; and the Board shall promptly return to the County any matching payments the pension fund received from the County on account of such member becoming subject to such proviso hereunder.

A person's liability as to his deficiency of deductions, resulting from his becoming a member hereunder, as to salary earned by him before he hereby becomes a member and as to interest in respect to such de-

ficiency, and the method of his discharging such liability, shall be governed by the provisions of subsection (h) of Section 9; provided, however, that all the unpaid membership time of one becoming a member hereunder must be converted to paid membership time.

(c) Report of County Officials. It shall be the duty of the county personnel board and the head of each agency of the County government employing persons who are members, or entitled to become members, of the system to submit to the Board such statements as the Board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person.

Section 2. Subsection (d) of Section 9 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717 et seq.), is hereby amended so as to read as follows:

(d) Part (1). The term "total salary proviso" shall mean the provisions contained in this subsection (d) of Section 9 of the Act which accord any person who is a member of the system on September 2, 1966, the option to subject to the salary deductions provided for in this Section 9 all salary earned by him from the County, including salary earned by him prior to exercising such option.

Any person who is a member of the system on September 2, 1966 may elect, within the time and in the manner hereinafter stated, to make all of his salary, including salary theretofore received by him subject to the salary deductions provided for in this Section 9 or provided for by Acts governing the previous retirement systems. If a member elects to become subject to the total salary proviso, within the time and in the manner hereinafter provided, then all of his salary paid to him by the County shall be subject to said deductions at the rate of six percent (6%) of his monthly salary commencing on the first day of the calendar month next succeeding the month in which he exercises said option. The total salary proviso shall not apply retroactively to the salary earned by him prior to his exercising said option unless he expressly elects that the total salary proviso shall have retroactive application; and the total salary proviso shall have retroactive application only for such period of time as the member elects. In order to make such election, the member shall state, on a form furnished by the Pension Board or by the Secretary of said Board, that he elects to become subject to the total salary proviso; and if he elects to make the total salary proviso apply retroactively, he shall state the period for or during which the said proviso shall have retroactive application. If he elects to make the total salary proviso apply retroactively, on a part of his prior service, then he shall subject to the retroactive effect of the total salary proviso that period of his previous service during which his average monthly salary was higher than, or as high as, his average monthly salary during any other period of his previous service of the same duration as the period selected by him to be subject to the said total salary proviso. Such election, both as to the future and retroactive application of the total salary proviso may be made at any time within six (6) months from September 2, 1966. The election once made shall be irrevocable. For the purpose of deductions from salary of a member who elects to make the total salary proviso apply retroactively to any period of his service he shall be deemed to earn, or to have earned, during all of the period for which he elects to make the total salary proviso apply retroactively, salary at his actual rate of salary.

Part (2). As used in this Part (2) of subsection (d) of Section 9, the following terms have meanings hereby ascribed to them: "hereof" means of this Part (2); "hereby" means by this Part (2); "effective date hereof" means the date on which this Part (2) becomes a law; "herein"

means in this Part (2); "subject hereto" means subject to this Part (2); "excluded therefrom" means excluded from the total salary proviso; "said proviso" means the total salary proviso; "service not subject to said proviso" means any part of a member's paid membership time which on the effective date hereof had not been subject to said proviso; "request for exclusion" means the written request for exclusion signed by a member and delivered to the Board, whereby the member requests that he be excluded from said proviso; "date deductions commence" means the first day of the first calendar month following the effective date hereof, if that day is as much as 15 days subsequent to the effective date hereof, and if that day is not as much as 15 days subsequent to the effective date hereof, "date deductions commence" means the first day of the second calendar month following the effective date hereof.

On the effective date hereof all members shall be subject to the total salary proviso, and shall remain subject thereto; provided, however, that any person hereby made subject to said proviso may be excluded therefrom by filing his request for exclusion with the time below stated.

After the date deductions commence, as above defined, the total salary proviso shall be applied to the salaries of all members earned after said date and retroactively to all salaries earned by them prior to that date, except those members who before said date file the request for exclusion. Such proviso shall not apply to any person who files such request before the date deductions commence.

After the date deductions commence as to a member, as provided for above, the total salary proviso shall continue to apply to him so long as he is a member, unless within 30 days from the date deductions commence he files his request for exclusion. Upon his filing the request for exclusion, within said 30 days, said proviso shall no longer apply to his salary. Upon a person filing his request for exclusion, within the prescribed time, the board will promptly return to him any salary deductions the pension fund received from his salary on account of his becoming hereby subject to the said proviso; and the Board will promptly return to the County any matching payments the pension fund received from the County on account of such member becoming subject to said proviso hereunder.

A member's liability as to his deficiency of deductions, in respect to salary earned by him before the date deductions commence and his liability for interest in respect to such deficiency, and the method of his discharging such liability, shall be governed by the provisions of subsections (f) and (g) of this Section 9.

No member subject to the total salary proviso prior to the effective date hereof shall have the right hereunder to be excluded from said proviso.

Section 3. Subsection (a) of Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717, et seq.), as heretofore amended, is hereby further amended so as to read as follows:

(a) Within the meaning of this Section 10 two (2) periods of service shall be deemed to be consecutive if the latter period of service commences within ninety (90) days of the termination of the earlier period of service.

Anything herein to the contrary notwithstanding, no pension shall be payable hereunder, based upon length of service, unless the person receiving the pension shall have been in the service of the County for

three (3) consecutive years immediately preceding his retirement; provided, however, that the requirement of three (3) consecutive years service, immediately preceding retirement, shall not apply to any member who retired, or became eligible for retirement, under this Act prior to the adoption of the provision imposing the said requirement of three (3) consecutive years service immediately preceding retirement.

When any member of the retirement system established by this Act has not less than ten (10) years paid membership time, as defined in Section 1 of this Act, and has attained the age of sixty (60) years, he shall be eligible for retirement for superannuation but such retirement shall not be compulsory.

Subject to the limitation stated in the sentence next following this sentence, it is hereby provided that any member who has attained the age of fifty-five (55) years on January 1, 1962, and has made contributions to the system for a period of not less than five (5) years, and has attained the age of sixty (60) years shall be eligible for retirement for superannuation but such retirement shall not be compulsory. The provision of the next foregoing sentence shall not apply to any person except one who retired under this Act prior to September 1, 1969, or one who on said date was employed by the county and was also on said date a member of this pension system.

Any member shall be eligible for retirement for superannuation upon the completion of thirty (30) years or more of service with the County, at least ten (10) years of which shall be paid membership time; provided, however, that if at the time of retirement such member has not attained the age of sixty (60) years, the amount of his monthly pension computed in accordance with the formula set forth in subsection (b) hereof, shall be reduced as hereinafter provided. Any member who is eligible for retirement and who desires to retire, shall be granted the benefits herein provided for upon a written application by himself, or, in the event he is mentally or physically incapacitated, by someone acting in his behalf, upon application to be filed in the office of the Pension Board.

Any member not entitled to voluntarily retire under the foregoing provisions who shall be involuntarily retired after having accumulated eighteen (18) years of service with the County, at least ten (10) of which shall be paid membership time, shall be entitled to receive a monthly pension computed in accordance with the formula set forth in subsection (b) hereof, the payment of which pension will commence at the time hereinafter stated; provided, however, that no member shall be entitled to such pension unless he pays into the fund of the system between the date of his retirement and the date on which the pension will commence the amounts hereinafter specified. The term "deferred pension," as used herein, means the pension provided for in the next foregoing sentence. If a member be involuntarily retired after having accumulated eighteen (18) years of service with the County, at least ten (10) of which years shall be paid membership time, and if he shall make the payments to the fund of the system hereinafter prescribed, payment of his deferred pension shall commence upon that date of the two following dates which first comes: (1) the date on which he attains the age of sixty (60) years; or (2) the date on which he would have completed thirty (30) years service with the County, if instead of retiring he had continued in the service of the County; provided, however, that if at the time payment of the deferred pension commences he has not attained the age of sixty (60) years, the amount of his monthly pension computed in accordance with the formula set forth in subsection (b) hereof shall be reduced as hereinafter provided. No person shall be entitled to receive the deferred pension unless he

pays to the fund of the system, between the date of his retirement and the date on which payment of the deferred pension is to commence, the amount hereinafter prescribed. In order to be entitled to receive the deferred pension, the member, during the period specified in the next foregoing sentence, shall pay to the retirement fund before the last day of each calendar month the sum of the following amounts: (1) The amount which would have been deducted from his salary and paid into the fund of the system during the month if he had continued to be employed by the County at the same salary he was earning on the date of his retirement; and (2) the amount which the County would have paid to the system during the month to match his salary deduction for the month, if he had continued to be employed by the County at the same salary he was earning on the date of his retirement. In order to become entitled to the deferred pension a member so retired shall make the payments prescribed in the next foregoing sentence not later than the time prescribed in said sentence; but he may make all or any part of said payment in advance of the time prescribed in the said sentence.

Any member not entitled to voluntarily retire under the foregoing provisions who shall be involuntarily retired after having accumulated twenty (20) years of service with the County, at least ten (10) of which shall be paid membership time, shall be entitled to receive a monthly pension computed in accordance with the formula set forth in subsection (b) hereof, the payment of which shall commence upon his retirement if he is then as much as fifty-five (55) years of age, and if he is less than fifty-five (55) years of age when he retires the payment of such pension shall commence upon his attaining the age of fifty-five (55) years. In order for a member to be entitled to the deferred pension provided for in the next foregoing sentence it shall not be necessary that any payments to the retired fund be made by him for any period following his involuntary retirement.

No person shall be entitled to receive a deferred pension if his separation from the service of the County was due to his misappropriation of funds or property of the County, or to moral delinquency on his part.

Section 4. Section 12 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717, et seq.), is hereby amended so as to read as follows:

Section 12. Disability Allowances. (a) Non-Service Connected. Any member who, after having accumulated ten (10) years paid membership time, shall become so disabled, either mentally or physically, for any cause except as hereinafter provided, that in the opinion of the Board and the Medical Advisor he is incapacitated for further performance of his duties, shall during the continuance of such disability be entitled to receive monthly disability benefits to be determined by the formula as provided under Section 10, above, such formula to be applied as though the disabled employee were entitled to retirement for superannuation at the commencement of the disability. No disability allowance shall be made if a venereal disease or the use of intoxicating liquor or liquors or narcotic drugs or drug or willfull misconduct of the disabled person be the cause of, or substantially contribute to, the disability or if the cause of disability be voluntarily and willfully brought about by the disabled person. (b) Service Connected. Any member who shall become so disabled that in the opinion of the Board and the Medical Advisor he is incapacitated for further performance of his duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service of the County and not due to his intoxication or willful misconduct, shall

be entitled to receive a monthly benefit allowance in the amount equal to sixty percent (60%) of such part of the member's monthly salary as was subject to deductions for pension purposes at the time of the commencement of the disability. (c) Partial Disability. In cases of partial disability arising under either (a) or (b) of this Section, the Board and the Medical Advisor shall determine the percentage of disability suffered and the member shall be entitled to that proportion of the amount which would have been payable to him if totally disabled which his percentage of disability is of total disability. (d) Payment of the benefits provided for by this Section 12 shall commence when the member ceases to receive his salary subject to the deductions prescribed by Section 9 of this Act.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26 and July 3, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Mr. O'Daniel:

H. 1019. To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession and sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession and sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Elmore County. It shall not have the effect of legalizing the sale, distribution, delivery, storage, taking out of storage, or possession in said county of any alcoholic beverages now or hereafter prohibited by law. Nor shall it have the effect of repealing or altering in any wise any statute now in effect. It shall be in addition to and cumulative of all laws now in effect. Except as hereinafter provided the provisions of Code of Alabama 1940, Title 29, Chapters 1 and 2 (Section 1-91), as heretofore amended and supplemented, shall apply to Elmore County to the same extent and with the same force and effect that such laws apply to other counties.

For the purposes of this Act all words and phrases herein used, which are defined in said Chapters 1 and 2 of Title 29, Code of Alabama 1940, shall have the same meanings there ascribed to them.

Section 2. (a) It shall be unlawful for any person, firm or corporation, including any State Alcoholic Beverage Control Board store, to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in Elmore County:

- (1) Unless the tax hereinafter levied thereon has been paid;
- (2) To a minor; or
- (3) Between the hours of midnight on Saturdays and midnight on Sundays.

(b) It shall be unlawful for any person to purchase, or attempt to purchase, consume, possess, store or transport from a point outside the county to a point within the county or from one point to another point within the county any spirituous, vinous or malt or brewed beverages in Elmore County unless the tax herein levied thereon has been paid. This subsection shall not, however, apply to the Alabama Alcoholic Beverage Control Board or its agents.

Section 3. It shall be unlawful for any wholesale or retail distributor or seller of malt or brewed beverages to make any sale distribution, or delivery of malt or brewed beverages within the county without first having obtained a license from the probate judge. The charges for a license for the distribution or sale at wholesale of malt or brewed beverages shall be seventy-five dollars. The charge for a license to distribute or sell such to distribute or sell such beverages at retail shall be twenty-five dollars.

It shall also be unlawful for any person, firm, or corporation, other than the State Alcoholic Beverage Control Board, to sell at retail in

Elmore County any spirituous or vinous liquors without first obtaining a license from the probate judge. The cost of the license shall be twenty-five dollars.

Licenses required by this section shall be valid for one year from date of purchase. All proceeds from such licenses less the cost of issuance shall be placed in the general fund of the county.

Section 4. In addition to all other taxes heretofore or hereafter levied on the possession or sale of alcoholic beverages in Alabama, a tax is hereby levied on the possession and sale in Elmore County of spirituous, vinous, and malt or brewed beverages in the following amounts: On each bottle or other container of spirituous or vinous liquor ten percent of the purchase price thereof.

On malt or brewed beverages a sum and amount equal to four cents on each twelve fluid ounces or fractional part thereof.

Section 5. The tax hereby levied shall be paid by and through the purchase of stamps or decals or such other device for evidencing the payment thereof as is prescribed by the governing body of Elmore County. The governing body of Elmore County is hereby authorized and directed to prescribe the method of evidencing the payment of the tax and to have prepared and to purchase such stamps, decals, or other devices needed or convenient for the enforcement and collection of the tax hereby levied. Such governing body shall provide for the issuance by the judge of probate of Elmore County of such stamps, decals, or other devices for use on containers of malt or brewed beverages, and shall provide for the payment of a reasonable compensation to the judge of probate for issuing such stamps, decals or other devices. The amount of such compensation shall be fixed by agreement between the judge of probate and the county governing body. Such governing body shall also adopt rules and regulations reasonably needed to facilitate the enforcement and collection of the tax. It may, in its discretion, provide for the collection of the tax hereby levied on spirituous or vinous liquors sold in State Alcoholic Beverage Control Board stores in either of the following ways: (1) it may appoint an Elmore County alcoholic beverage tax collector in each State Alcoholic Beverage Control Board store in each incorporated municipality in such county. Such tax collectors shall compute the tax, issue, affix, to the bottle, or other container and cancel the proper amount of stamps, decals or other devices evidencing the payment of the tax as each sale at the store for which he is appointed is made. Such beverage tax collectors shall be bonded in such amount as prescribed by the county governing body and shall sign such receipts upon the issuance to them of stamps, decals, or other devices for evidencing the payment of the tax, and shall keep such records of the use of such stamps, decals, or other evidences of payment of the tax as the county governing body prescribes. Each such tax collector shall pay over all taxes collected pursuant to this Act at such time as prescribed by the county governing body. For his services in collecting such taxes and remitting them to the judge of probate of the county of Elmore, he shall be entitled to a commission in the amount of two and one-half percent of the amount collected, which sum he may deduct when remitting the proceeds of the tax. (2) The county governing body may make an agreement with the Alabama Alcoholic Beverage Control Board whereby such board agrees to collect the Elmore County beverage tax on every sale of spirituous or vinous liquor sold at a State Alcoholic Beverage Control Board store in Elmore County, and to remit all such taxes, less a reasonable charge for collecting such tax to the judge of probate. Should such an agreement be made the county governing body shall provide for the furnishing of the stamps, decals, or other devices to evidence the payment of the tax to the Alabama Alcoholic Beverage Control Board.

The county governing body of Elmore County shall also provide rules, regulations, and administrative machinery for the enforcement and collection of the tax levied by this Act on malt or brewed beverages, and may also provide reasonable compensation to sellers and distributors of malt and brewed beverages for affixing stamps, decals or other devices evidencing payment of the tax and collecting such tax from purchasers.

Section 6. The proceeds of the tax hereby levied on spirituous and vinous liquor less the commissions above mentioned and all other costs of collecting and remitting the tax shall be distributed monthly in the following manner: Fifty percent of such proceeds of a tax on purchases within the corporate limits of a municipality within Elmore County shall be paid to the governing body of said municipality and shall be paid to the county board of education. If the purchase is made outside the corporate limits, then all of the proceeds of the tax shall be paid to the county board of education.

Section 7. The proceeds of the tax hereby levied on malt or brewed beverages less the commissions above mentioned and all other costs of collecting and remitting the tax shall be distributed monthly as follows: Of the proceeds collected on sales outside the corporate limits and police jurisdiction of the municipalities of the county, fifty percent shall be paid to the Elmore County Board of Education and fifty percent to the Elmore County general fund; of the proceeds collected within the police jurisdiction of a municipality of the county but outside the corporate limits of such municipality, fifty percent shall be paid to the Elmore County Board of Education, twenty-five percent to the Elmore County General Fund, and twenty-five percent to the municipality having the police jurisdiction; of the revenue collected inside the corporate limits of any municipality, fifty percent shall be paid to the Elmore County Board of Education and fifty percent to the municipality in which such revenue is collected.

Section 8. All alcoholic beverages taxable under this Act found at any point within Elmore County, except such beverages as are in the possession of an Alabama Alcoholic Beverage Control Board store, not having affixed thereto stamps, decals, or other devices evidencing the payment of the tax hereby levied are declared to be contraband goods, and may be seized without a warrant by any beverage tax collector appointed pursuant to Section 5 of this Act, or by any peace officer of Elmore County, or policeman or other authorized person of a municipality within the police jurisdiction of said municipality. Such goods shall be delivered to the Alabama Alcoholic Beverage Control Board and sold in the manner prescribed by law for selling alcoholic beverages which are confiscated pursuant to Code of Alabama 1940, Title 29, because stamps, crowns, or lids evidencing the payment of state taxes thereon have not been affixed.

Section 9. Whoever manufactures, buys, sells, offers for sale, or has in his possession any reproduction or counterfeit of the stamp, decal or other device adopted by the governing body of Elmore County to evidence payment of the tax hereby levied, is guilty of a felony, and upon conviction, shall be punished by imprisonment in the penitentiary for not less than a year and a day nor more than ten years, and in addition, may be fined not less than two thousand dollars nor more than ten thousand dollars.

Section 10. Whoever removes or otherwise prepares any stamps, decals, or other devices for evidencing the payment of the tax hereby levied, after they have been once used to evidence the payment of such tax, with intent to re-use the same, and any person who re-uses or buys, sells, offers for sale or gives away any such washed, restored, or

removed stamps, decals, or other devices for the purpose of paying the tax hereby levied is guilty of a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than a year and a day, nor more than five years, and in addition may be fined not less than one thousand dollars nor more than five thousand dollars.

Whoever alters any stamp, decal, or other device for evidencing the payment of the tax hereby levied to indicate the payment of a different amount from that originally appearing thereon or whoever sells or offers for sale or buys any such stamp, decal or other device for evidencing the payment of the tax hereby levied to indicate the payment of a different amount from that originally appearing thereon or whoever sells or offers for sale or buys or offers to buy any such stamp, decal, or other device, otherwise than as authorized pursuant to this Act, shall likewise be guilty of a felony and punished as prescribed above.

Whoever violates a provision of this Act for which no specific punishment is prescribed shall be guilty of a misdemeanor and may be punished therefor as prescribed by law; and whoever violates Section 2, subsection (a), items (2) or (3) shall in addition to the regular punishment prescribed by law for a misdemeanor also be fined not less than five hundred dollars nor more than one thousand dollars or sentenced to imprisonment in the county jail or hard labor for the county for not less than thirty days nor more than six months, either or both.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. The operation of this Act shall be retroactive to May 5, 1970, and all taxes paid pursuant thereto are ratified and confirmed.

THE STATE OF ALABAMA ELMORE COUNTY

Before me, the undersigned authority, personally appeared Jack B. Venable, who by me first being duly sworn deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice, A Bill to be Entitled An Act, was published in said newspaper for 4 successive weeks to-wit: Feb. 25, March 4, 11, 18, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 24th day of March, 1971.

JIMMY L. BALLENTINE,
Notary Public.

My commission expires 7/10/74.

Also:

By Messrs. Reynolds and Goodwin:

H. 1222. Providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge in Colbert County may with the approval of the County Governing Body, issue such license tags by mail, using the United States Post Office, or its successor, upon the written application of a resident-owner of such motor vehicles signed by such owner requesting the Judge of Probate to issue the same by mail.

Section 2. Said Judge of Probate issuing motor vehicle license tags under the provisions of this act shall collect, prior to issuing the same, all taxes, fees and other charges as may be required by law to be collected by the Judge of Probate, Tax Collector, or such other charges on motor vehicles and motor vehicle license tags, and he shall remit the same to such official charged by law with the duty of collecting such taxes, fees and other charges for distribution in accordance with law; and in addition thereto the Judge of Probate shall collect a handling and mailing fee in such amount as the County Governing Body may deem necessary to cover the County's expenses involved in providing this mail order service. The Judge of Probate shall pay this handling and mailing fee over to the County to the credit of the General Fund.

Section 3. All costs of such mailing service conducted under the provisions of this act shall be paid by the County Governing Body, including forms, supplies, postage and such clerical help as might be required.

Section 4. The Judge of Probate issuing license tags under the provisions of this act shall be authorized to sign the assessment sheet or other tax form as might be necessary on behalf of the taxpayers and such taxpayer shall be bound thereby as if he had signed the same in person.

Section 5. Any motor vehicle owner making written request for mail services under the provisions of this act shall be deemed to have appointed the United States Post Office Department, or its successor, as his agent for purposes of delivery of such license tag, and the license tag shall be presumed to have been issued to the applicant on delivery, postage prepaid, to a United States Post Office, or its successor, by the Judge of Probate issuing the same.

Section 6. The Judge of Probate electing to issue motor vehicle license tags under the provisions of this act may prescribe such rules and regulations for application of such license tags as he may deem reasonably necessary and may also issue notices to prior year owners by mail with prepared application forms stating the amount of taxes, fees and other charges due.

Section 7. The provisions of this act are permissive and shall not be construed to require the Judge of Probate to issue motor vehicle

license tags by mail, nor shall it be construed to require the County Governing Body to approve the issuance of motor vehicle license tags by mail.

Section 8. The provisions of this act are cumulative and shall not repeal any special or local law in conflict herewith.

Section 9. Any delay in issuing motor vehicle license tags by mail under the provisions of this act shall be deemed to be the delay of the applicant.

Section 10. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

I, CAROLINE H. MORRIS, Editor & Publisher of The Standard & Times, a weekly newspaper published in Sheffield, Colbert County, Alabama, and with a general circulation in Colbert County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A bill to be entitled an act providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate, as published in The Standard & Times on the days and dates and in the amount of space as here given as follows: Published June 18, 25; July 2, 9, 1971.

CAROLINE H. MORRIS,
Editor & Publisher of The Standard & Times.

Sworn to before me this 9th day of July, 1971.

My Commission Expires 3/1/75. WILFORD S. HUNT, JR.,
Notary Public.

Also:

By Messrs Coshatt and Reid (R):

H. 1241. To amend Section 4 of Act No. 125, H. 112, First Special Session 1965 (Acts of Alabama, 1965 First Special Session, P. 177), which Act provided for the position of clerk-secretary to the circuit solicitor of the 30th Judicial Circuit, so as to increase the salary of said clerk-secretary.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 4 of Act No. 125, H. 112, First Special Session 1965 (Acts of Alabama, 1965 First Special Session, P. 177), which Act

provided for the position of clerk-secretary to the circuit solicitor of the 30th Judicial Circuit, so as to increase the salary of said clerk-secretary.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 4 of Act No. 125, H. 112, 1965 First Special Session (Acts of Alabama, 1965 First Special Session, p. 177), is hereby amended to read as follows:

"Section 4. The said clerk-secretary to the circuit solicitor of the 30th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by the court of county commissioners or other like governing body of the county, said salary not to be less than Three Thousand Six Hundred (\$3,600.00) Dollars per annum and not more than Four Thousand Eight Hundred (\$4,800.00) Dollars per annum, which shall be payable in monthly installments out of the general fund of St. Clair County, on certificate issued by the solicitor in favor of such clerk-secretary."

Section 2. The provisions of this Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law. This Act is retroactive to June 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edmund Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/3, 6/10, 6/17, and 6/24, all in the year 1971.

E. R. BLAIR.

Sworn to and subscribed before me July 7, 1971.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Warren and Mims:

H. 1377. To repeal Act No. 296, H. 506, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 413) entitled, "An Act Relating to counties having populations of not less than 17,400 nor more than 17,800; to provide clerical assistants for the office of the judge of probate of such counties, and to provide a clerk hire allowance for such county judges of probate, payable out of the general funds of the county."

Also:

By Messrs. Warren and Mims:

H. 1378. To repeal Act No. 241, H. 441, approved, August 15, 1963, Regular Session 1963 (Acts of Alabama 1963, p. 652) entitled,

"An Act To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Warren and Mims:

H. 1379. To repeal Act No. 356, H. 897, approved, August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 494) entitled, "An Act To provide the tax assessors of counties having populations of not less than 17,400 nor more than 17,800 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county."

Also:

By Messrs. Warren and Mims:

H. 1380. To repeal Act No. 295, H. 505, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 412) entitled, "An Act To provide an additional clerical allowance to the circuit clerk of all counties having populations of not less than 17,400 nor more than 17,800, such allowance to be payable out of the general funds of the county."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 534, 535, 686, 794, 855, 1090 and 1217. To the Committee on Local Legislation No. 2.

H. B.'s 1019, 1222, 1241, 1377, 1378, 1379 and 1380. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Burgess and Stewart:

H. 1449. To amend the title and Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), as last amended, which provides further for the compensation and authority of coroners of certain counties classified on a population basis.

Also:

By Mr. Merrill:

H. 1450. To amend the title and Section 1 of Act No. 41, H. 110, Regular Session 1967 (Acts 1967, p. 369), which fixes the compensation of certain county officers in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1451. To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regulates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1452. To amend the title and Section 1 of Act No. 179, H. 98, Special Session 1969 (Acts 1969, p. 244), which provides for the appointment of an Assistant Chief Clerk in the office of the Judge of Probate of certain counties classified on a population basis; to define his duties and authority; to direct the filing of a bond and provide for the compensation of such position.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1453. To amend the title and Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1454. To amend the title and Section 1 of Act No. 177, H. 433, Regular Session 1969 (Acts 1969, p. 485), which authorizes the county governing body to provide clerk hire allowances for the county solicitor or deputy district attorney in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1455. To amend the title and Section 1 and 2 of Act No. 693, H. 955, Regular Session 1967 (Acts 1967, p. 1518), which provides for the allocation of the duties of the chairman and members of the city commission of certain cities in counties classified on a population basis, and provides for their compensation.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1456. To amend the title and Section 1 of Act No. 237, H. 236, Special Session 1966 (Acts 1966, p. 360), which provides for participation of county employees in the Employees' Retirement System of Alabama in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1457. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1458. To amend the title and Section 1 of Act No. 935, H. 1349, Regular Session 1969 (Acts 1969, p. 1672), which provides for the payment of salary and expenses of an investigator appointed by the district attorney of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1459. To amend the title and Section 1 of Act No. 272, H. 13, Regular Session 1965 (Acts 1965, p. 385), which provides for the substitution of other books or texts for the textbooks on the list of state approved or state-adopted textbooks in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1460. To amend the title and Section 1 and 2 of Act No. 236, H. 905, Regular Session 1965 (Acts 1965, p. 340), which authorizes county commissions to provide clerk hire allowances for certain courts in certain counties classified on a population basis.

Also:

By Mr. Fite:

H. 584. To authorize the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

Also:

By Messrs. Cauthen, Slate, Drake and St. John:

H. 175. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuit.

Also:

By Messrs. Boutwell, Adwell, Bowers, Falkenburg, Doss, Weeks, Erdreich and Ellis:

H. 1076. To authorize and empower the County Commission, Board of Revenue or other governing body of all counties having a population of 600,000 or more according to the last or any subsequent decennial federal census to authorize, approve and pay from the general funds of the county, all necessary and reasonable expenses incurred by the Judge of Probate and his chief assistants in attending conferences and instructional meetings of the Alabama Probate Judges Association and Continuing Legal Education Division of the University of Alabama.

Also:

By Messrs. Robertson, Bank, Parker (T) and Culver:

H. 1073. For the relief of Vera Waldrop, making an appropriation of Mental Health Department Funds from the State Treasury to compensate her for personal injuries suffered while she was engaged in the performance of assigned duties as an attendant at Partlow School of the Alabama Mental Health Department.

Also:

By Mr. Grainger:

H. 113. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459 and 1460. To the Committee on Local Legislation No. 1.

H. B. 584. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 175. To the Committee on Judiciary.

H. B. 1076. To the Committee on Local Legislation No. 2.

H. B. 1073. To the Committee on Finance and Taxation.

H. B. 113. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. May:

H. 1163. To amend the title and Section 1 of Act No. 277, S. 535, Regular Session 1969 (Acts 1969, p. 609), which provides further for the compensation of the county solicitor or deputy district attorney in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1164. To amend the title and Section 1 of Act No. 235, S. 452, Regular Session 1969 (Acts 1969, p. 566), which prohibits the sale of alcoholic beverages in certain places; provides that the Act shall not be construed as authorizing the sale of such beverages at any other places in which a majority of the qualified electors voting at a referendum have voted that the county shall be dry, and prescribes penalties for violations, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1165. To amend the title and Section 1 of Act No. 122, H. 477, Regular Session 1965 (Acts 1965, p. 187), which provides for the licensing of and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses and collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

Also:

By Mr. May:

H. 1166. To amend the title and Section 1 of Act No. 483, H. 809, Regular Session 1965 (Acts 1965, p. 697), which authorizes the Director of Conservation to open a season for the hunting of female deer or un-antlered male deer, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1167. To amend the title and Section 1 of Act No. 479, H. 665, Regular Session 1967 (Acts 1967, p. 1171), which provides that the regulation of the use of voting machines may be accompanied by the dividing of any voting precinct into territories in which a voting place may be designated, the setting of the number of voting machines in each such place, and the providing of election officers for each voting place, and provides the duties and compensation of such election officers, in certain counties classified on a population basis and according to whether voting machines have been or shall be authorized.

Also:

By Mr. May:

H. 1168. To amend the title and Section 1 of Act No. 193, S. 79, Special Session 1969 (Acts 1969, p. 255), which provides for the payment or reimbursement to all members of the county governing body of their actual expenses incurred in performing their duties outside the county, including attendance at certain conventions, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1169. To amend Section 9 of Title 19, Code of Alabama 1940, as last amended, which relates to the condemnation of property already devoted to public use, to exempt this section from application to certain railroad right-of-way crossings, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1170. To amend the title and Section 1 of Act No. 130, H. 372, Regular Session 1969 (Acts 1969, p. 404), which authorizes county boards of education to appoint the superintendent of education, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1171. To amend the title and Section 1 of Act No. 187, S. 376, Regular Session 1969 (Acts 1969, p. 502), which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1172. To amend the title and Section 1 of Act No. 205, S. 375, Regular Session 1969 (Acts 1969, p. 524), which fixes the fee for the issuance of pistol permits by the sheriff and provides for the distribution and use thereof, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1173. To amend the title and Section 1 of Act No. 214, S. 293, Regular Session 1969 (Acts 1969, p. 533), which authorizes the boards of registrars to meet an additional ten days per year and to be paid a travel allowance, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1174. To amend the title and Section 1 of Act No. 191, S. 422, Regular Session 1969 (Acts 1969, p. 504), which increases the salary of the Judge of the Inferior Court for certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173 and 1174. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 1233. To apply in counties having population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Also:

By Messrs. Drake and St. John:

H. 1069. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the Intermediate Court in such counties.

Also:

By Messrs. Culver, Bank, Robertson and Parker (T):

H. 1091. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to Tuscaloosa County.

Section 2. DEFINITIONS—As used in this Act, unless the context otherwise requires, the term:

(a) "Barber" shall mean any person licensed under the provisions of this Act to do the work of a barber.

(b) "Barber shop trade" includes shaving and trimming the beard, cutting and dressing the hair, massaging the face and head, giving facial and scalp massage or application of oils, creams lotions, or other preparations, either by hand or by mechanical appliances, singeing, shampooing or dyeing the hair or applying hair tonic, apply cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck, and rendering kindred personal services for compensation, provided, however, that such practices when done for the treatment of physical or mental ailments or diseases shall not constitute barbering.

(c) "Barber Shop" means without limitation any establishment having as its primary purpose the rendering for compensation of the several services constituting the barber shop trade.

(d) "Barber School" means without limitation any establishment rendering for compensation the several services constituting the barber shop trade, but having for its primary purpose the teaching, for tuition fees, of the theories and practices of such services.

(e) "Student" shall mean any person attending barber school for the purpose of learning the theories and practice of the barber shop trade and who receives no compensation for so doing.

(f) "Apprentice" shall mean any person practicing in a barber or haircutting shop to acquire the skill of a barber or haircutter after having completed the requirements of a student, under the provisions of this Act.

(g) "Teacher" or "Instructor" shall mean any person who instructs or attempts to instruct another in the science, arts and skills of a barber or haircutter.

(h) "Board" or "The Board" or "Barbers' Commission" shall mean the Board or Board of Commissions created by this Act.

(i) In this Act, words used in the masculine gender include the feminine and neuter genders, and words used in the neuter gender include the masculine and feminine genders.

(j) "Hairstylist" shall mean any journeymen barber who specializes in the styling of hair.

Section 3. COUNTY BOARD OF BARBER COMMISSIONERS—There is hereby created a Barbers' Commission for Tuscaloosa County. The Governor shall appoint three persons, each of whom, immediately prior to the date of his appointment has been a resident of said county for the past three years, and who has had at least five years experience as a barber; one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years; provided, however, that in the county to which this Act applies two members of said Commission shall be residents of the largest metropolitan area in said county and the third member of said Commission shall be a resident of any smaller metropolitan area in said county; provided further, that in the county to which this Act applies which have in existence at the time of the passage of this Act, a Barbers' Commission, the members of said Commission then serving as such Barbers' Commission shall constitute the initial Board of Barbers' Commissioners of said county and they shall continue in office until the expiration of their respective terms or unless sooner disqualified; thereafter the term of any member appointed and qualified to succeed the members of the Barbers' Commission of said county first appointed shall be for three years and until their successors are appointed and qualified. Vacancies shall be filled in the following manner: The Commission shall, sixty (60) days prior to the expiration of the term of any commissioner of the Barbers' Commission for said county give notice in writing to the licensed barbers of said county that there will be a vacancy on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term, the Barbers' Commission shall within thirty (30) days after such vacancy occurs, give notice to the licensed barbers of said county of the existence of such vacancy. In this event said barbers will be requested to nominate three barbers to fill each vacancy thus occasioned; and to

that end a ballot shall be prepared and enclosed along with the letter notifying the barbers of the vacancy or vacancies; the said ballot reading as follows: "I hereby nominate for appointment by the Governor of the State of Alabama to the Board of Barber Commissions for Tuscaloosa County the following named persons: -----"

The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote. In addition to the ballot, the Barbers' Commission shall forward the licensed barber an envelope addressed to the Barbers' Commission and properly stamped with United States postage. When the ballots are returned they shall be opened on a day designated in the notification, in the presence of the Barbers' Commission then serving, and the ballots shall be counted and the names of the three barbers who shall receive the greatest number of votes shall be selected as the three nominees. The Barbers' Commission shall then certify to the Governor of the State of Alabama the names of the three barbers receiving the highest number of votes and the Governor shall appoint one of those three persons thus designated to fill the vacancy. If more than one vacancy exists at any time, there shall be nominated in the manner above designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies, there shall be nine nominees, certified to the Governor of Alabama, who shall select for appointment one nominee from each group thus nominated. The Commission, immediately upon the qualification of the member appointed each year, shall organize by selecting from its members a chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. The members of the Commission shall receive as full compensation for each day actually spent in the work of said Commission the sum of Twenty Dollars (\$20.00) per day; and his actual and necessary expenses thereby incurred, not to exceed \$4.00 per day. The Commission shall appoint and at its pleasure a Secretary-Treasurer and such assistants as may be deemed necessary to discharge and faithfully carry out the duties imposed by the provisions of this Act; provided however, that no person hired hereunder shall be related by blood or marriage to any member of the Commission. The individual so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than Ten Thousand Dollars (\$10,000.00), conditioned to pay any shortage or loss of funds on hand by said Secretary-Treasurer during his term of office, or at the time that he is holding office. Said Commission shall outline the duties and fix the compensation of the Secretary-Treasurer. The Commission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act. The principal office of said Commission shall be located in the county seat of said county, provided, however, that upon the request of said Commission, the County Commissioners of said county shall furnish an office in the Courthouse without charge. The Commission shall adopt a seal with such design engraved thereon as it may prescribe, by which it shall authenticate its proceedings. In addition thereto, the Board is empowered to make reasonable inspection of the barbers and barber shops and barber schools and barber colleges of said county to the end that proper methods of sanitation and sterilization are observed. Copies of all records and papers in the office of the Barbers' Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All the records kept in the office of the Board and under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Board

under the provisions of this Act, shall be paid to the Treasurer of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used for purposes not inconsistent with this Act, under the direction of the Commission. Funds may be disbursed by order of the Board on a check being drawn by the Treasurer upon such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all of the expenses incurred by the Board, including the compensation of members of the Board and its employees, provided the total expenses for every purpose, incurred shall not exceed total fees and charges collected and paid in to the Treasurer.

Section 4. PROMULGATION OF RULES AND REGULATIONS—

(a) The Board shall have authority to make reasonable rules for the administration of the provisions of this Act. Copies of all rules adopted by said Board shall be furnished to each barber and each barber school or college.

(b) No rule may be adopted or amended at the same meeting at which it is proposed.

(c) All rules adopted hereunder shall have the same force and effect of law unless set aside by a Court of competent jurisdiction or replaced by said Board.

Section 5. APPRENTICE QUALIFICATIONS—

(a) Any person shall be qualified to receive a license as an apprentice barber provided:

1. He is at least eighteen (18) years of age and is of good moral character and temperate habits; and

2. He has graduated from an approved school or college of barbering, which school has been approved or licensed under the provisions of this Act; and

3. He passes a satisfactory examination conducted by the Barbers' Commission to determine his fitness to practice as an apprentice; and

4. He has a 12th grade education or equivalent thereof; and

5. He has obtained a medical certificate as required by this Act; and

6. He has paid the required fee specified by this Act.

(b) An applicant for a license who fails to satisfactorily complete an examination conducted by the Commission may apply for re-examination at any future meeting of the Commission. Upon making application therefor and payment of the required fee, said applicant shall be permitted to again take said examination.

(c) No apprentice may independently practice barbering, but he may, as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a licensed barber.

Section 6. JOURNEYMAN QUALIFICATIONS—

Any person having made application for a Journeyman barber license shall be qualified to receive such license to practice as a barber provided:

(a) He is qualified under the provisions of Section 5 of this Act; and

(b) He has practiced as an apprentice barber for a period of twenty-four (24) months on a full time basis under the immediate personal supervision of a licensed Journeyman barber; and

(c) He has passed a satisfactory examination conducted by the Board to determine his fitness to practice as a Journeyman barber; and

(d) He has paid the required fee specified in this Act.

Section 7. APPLICATION OF NON-RESIDENT BARBERS OR APPRENTICES—

Any apprentice or non-resident barber who is at least eighteen (18) years of age and of good moral character and temperate habits and has a license as an apprentice in another State or County which has substantially the same requirements for licensing an apprentice as is provided in this Act, or who can prove by sworn affidavits that he has practiced in another County or State for at least six months prior to making application in this State, shall upon payment of the required fee, be granted permission to take an examination to determine his fitness to receive a license as an apprentice. Should he pass the required examination, and have complied with all other applicable provisions of this Act, a license as an apprentice shall be issued to him. In this event the time spent in such other State or County as an apprentice shall be credited upon the period of apprenticeship required by this Act, toward qualifying for the examination to determine his fitness to receive a license as a barber.

Section 8. HOW TO MAKE APPLICATION FOR LICENSE:

Any person desiring to practice barbering, or desiring to practice as an apprentice barber, shall file with the Secretary of the Board a written application, under oath, on a form prescribed by the Board, together with two photographs of the applicant 2 x 3 inches in size, and satisfactory proof that applicant is of good moral character and also furnish the Board with a certificate issued by the County Health Department from a practicing medical physician of said county showing that applicant is free from contagious, infectious or communicable, disease, including gonorrhea, syphilis and tuberculosis.

Section 9. EXAMINATIONS—

(a) The Board shall conduct examinations for applicants for licenses to practice as Journeyman, Hair Stylist, barbers and as apprentices at least four times each year, at such times and places as the Board shall determine. Such examination shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools and colleges of barbering approved by the Board. Licenses to Journeyman, Hair Stylist, barbers or apprentices shall be issued by the Board to any applicant who shall have passed the examination therefore, by making an average grade of not less than 70% and who shall possess the other qualifications required by this Act.

(b) Whenever the Board shall be requested to give a special examination, the applicants taking such examinations shall pay an additional fee of \$25.00.

Section 10. BARBER SHOP OPERATOR QUALIFICATIONS—

A person shall be qualified to receive a barber shop operator's license provided:

- (a) He holds a Journeyman, Barber or Hair Stylist License; and
- (b) He is in compliance with the other applicable provisions of this Act.

Section 11. PERSONS ENTITLED TO LICENSE WITHOUT INITIAL EXAMINATION—

Any present resident of the county to which this Act applies, who is engaged in the practice of barbering for a livelihood without a license or who holds a license as a barber or apprentice, or any barber school or college in operation at the time of the passage of this Act shall automatically be granted a license without an examination by making application to the Commission on or before the 1st day of January, 1968 and upon paying the annual renewal fee specified herein for barbers, apprentices, and barber schools or colleges, provided that such applicant has been issued a medical certificate as required herein. It is further provided that any person licensed under the provisions of this Act, who subsequent to such licensing is unable to obtain the physician's certificate hereinbefore provided for, shall be entitled to an "inactive" license upon compliance with all the other provisions of this Act, and shall be again fully licensed without additional examination, at such time thereafter as he obtains and files the physician's certificate hereabove required.

Section 12. PERSONS, FIRMS OR CORPORATIONS TO WHICH THIS ACT IS NOT APPLICABLE—The following are exempted from the provisions of this Act:

- (a) Persons licensed by law of this State to practice medicine, surgery, osteopathy, or chiropractry.
- (b) Commissioned medical or surgical officers of the United States Army, Air Force, Navy or Marine hospital service.
- (c) Registered Nurses.
- (d) Hairdressers and beauty culturists, insofar as their usual and ordinary vocation and profession is concerned, including light hair trimming incidental to waving of all kinds.
- (e) Undertakers or morticians.
- (f) All barber schools and colleges and instructors employed therein by the State or County Department of Education.

Section 13. DISPLAY OF CERTIFICATE—Every holder of a license shall display it in a conspicuous place in his place of business.

Section 14. FEES—The Board of Barber Commissioners shall charge and collect the following fees:

(a) The original as well as any subsequent examination fee for Journeyman, Hair Stylist, barber or apprentice shall be \$25.00 per examination. Any such fee shall also include the cost of the issuance of any such barber or apprentice license which may thereafter be issued; and \$10.00 thereof shall be refunded if such person fails to pass the examination.

(b) For the annual renewal of a barber or apprentice license, a fee of \$10.00 shall be charged, provided, however, that this fee shall be

waived for any barber who has been sick and out of work for as much as one year next preceding that date such fee shall become due, a physician's certificate and affidavit of such barber being submitted as proof of such facts.

(c) For restoration of an expired barber or apprentice license, a fee of \$15.00 shall be charged. Upon the payment of such fee such license shall be restored without examination provided application is made therefor, within a period of one year from the date of the expiration of any such license.

(d) For the application and issuance of a new barber shop operator's license a fee of \$50.00 shall be charged.

(e) For the annual renewal of a barber shop operating license, a fee of \$5.00 shall be charged.

(f) For the application and examination of teacher application and issuance of a teaching certificate or license a fee of \$50.00 shall be charged.

(g) For the annual renewal of a teacher's certificate or license a fee of \$25.00 shall be charged.

(h) All licenses required under this Act shall be renewed annually on or before January 1.

(i) A duplicate license will be issued upon the filing of a statement covering the loss of such license, verified by the oath of the applicant, and accompanied by the payment of a fee of \$10.00 for the issuance of same. Each duplicate license shall have the word, "Duplicate" stamped across the front thereof and will bear the same number as the originally issued license.

Section 15. EXEMPTIONS PERTAINING TO PERSONS IN ARMED FORCES—Any person who, after the passage of this Act, and approval by the Governor, or upon its otherwise becoming a law, shall enter the active military or naval service of the United States, or of this State and who, at the time of such entry, was the holder of a license as a barber, or apprentice, and which license was then in full force and effect, shall be granted a like license upon presentation to such Board of Barber Commissioners of an Honorable Discharge from such military or naval service, dated not more than one year prior to the time of such presentation, and a medical certificate as required under the provisions of this Act, attesting that the person presenting it is free from any contagious or infectious or communicable disease which certificate shall be dated not more than 30 days prior to the time of such presentation and provided further such person shall pay a fee of \$10.00 for the issuance of such license as required by this Act.

Section 16. GROUNDS FOR SUSPENSION, REVOCATION OR REFUSAL TO ISSUE A RENEWED LICENSE—The Board is hereby vested with the power and authority to refuse to issue or renew as well as the power to suspend or revoke any license for any one or a combination of the following causes:

(a) Conviction of a felony.

(b) Malpractice or incompetency.

(c) When applicant barber or apprentice barber is, or becomes, afflicted with an infectious or communicable disease.

(d) Advertising by false or deceptive means.

(e) Advertising, practicing, or attempting to practice under another's trade name or under another's name.

(f) Habitual drunkenness or habitual addiction to use of morphine, cocaine, or other habit forming drugs.

(g) The violation of any of the sanitary regulations promulgated by either the Barbers' Commission or the Alabama State Department of Health for the regulation of barber shops and barber schools or colleges.

(h) Conviction of a violation of any City Ordinance or County or State law pertaining to the regulations of barber shops or barber schools or colleges.

Section 17. HEARINGS.

No action in refusing to issue or renew or in suspending or revoking a license for any of the causes enumerated in the foregoing Section shall be taken until the accused has been furnished with a statement of the specific charges against him and notice of the time and place of hearing thereof. The accused may be present at the hearing in person and may be represented by counsel if he so desires. Statement of the charges and notice thereof must be served personally upon such person, or mailed to his last known address at least ten (10) days prior to the hearing. If upon such hearing the Board finds the charges to be true, it may refuse to issue or renew a license or may revoke or suspend such license if the same has been issued.

It shall be the duty of the Board to subpoena witnesses other than character witnesses, for or against the accused upon written request and affidavit that their testimony is necessary, and the production of relevant books and papers may be also procured by subpoena.

A public hearing shall be ordered after not less than ten (10) days written notice to the parties at interest. The Board shall not be bound by the technical rules of evidence but shall seek diligently all of the information and evidence bearing on the merits of the case.

Within ten (10) days after the conclusion of the hearing, the Board shall render its decision in writing. Copies of the decision shall be delivered to all parties at interest.

The Board may require that testimony introduced at hearings be recorded by a court reporter, but same shall not be transcribed except upon further order.

Any person aggrieved by the decision or ruling of the Board, as provided for in the preceding Section, may appeal from such action to the Circuit Court of said county within ten (10) days after such final determination of the Board, by filing written notice thereof with the Board. Upon any such appeal a trial shall be de novo.

Section 18. BARBER SCHOOL PREREQUISITES—

(a) An application for a license and approval as a registered school or college of barbering shall contain, under oath, the following:

1. The full name of the applicant.

2. The residence of the applicant, and if an Association or corporation, the same information of the members of the association and of the stockholders and directors of the corporation.

3. The exact location where the school or college is located or proposed to be located.

4. Whether or not the school or college is owned or leased, and if leased, the name and residence of the owner, or if an Association or corporation, the same information of the members of the Association and of the directors and stockholders thereof.

5. Evidence that a bond in the amount of \$25,000.00 has been filed with the State Treasurer and made payable to the State of Alabama, conditioned upon the faithful compliance of the barbering school or college with all the provisions of this Act.

(b) No private school or college of barbering which does not come within the jurisdiction of the Alabama State Board of Education shall be approved by the Commission and no license shall be issued to operate or conduct any such school or college of barbering unless and until such school or college shall have complied with all of the required provisions of this Act.

(c) No person, firm or corporation may be licensed to operate or conduct said barber school or college in said county unless the owner be a citizen of the United States and a qualified elector of Alabama, and if a corporation, the officers thereof shall be so qualified, and unless each person who is directly connected with the instructional program shall have had at least four years of continuous experience as a licensed barber in said county; that all of such teachers are citizens of the United States and have been resident citizens of said county for at least four years; provided, however, any licensed barber may be hired to assist in giving practical instruction in any barber school or college.

(d) Upon receipt of application for registration or license for a privately owned and operated barber school or college not coming within the jurisdiction of the Alabama State Department of Education, said Commission shall make investigation of the applicant, the qualifications of the teachers of the school or college and the equipment, appliances and sanitary facilities thereof and determine whether the course of study maintained by such school or college, practical and otherwise, is designed to equip students with sufficient knowledge of barbering so that they may pursue the same in said county, in accordance with the provisions of this Act, Alabama Statutes, and the rules and regulations prescribed by said County Barber Board and if upon such investigation, the Board finds that such applicant meets the requirements of law, and that said school or college has adopted a curriculum approved by the Board, a barbering school or college license shall be issued to said applicant upon the payment of a fee of \$500.00. Unless otherwise disqualified, a school or college license may be renewed each year thereafter by the payment of a license fee of \$50.00. All such licenses shall be renewed on or before January 1 of each year. Any school or college failing to renew its license on or before January 1 of each year, may renew said license, if otherwise qualified by paying a renewal fee, plus a penalty of \$10.00 per month for each month or part thereof that said license is delinquent, provided that no such license can be thus renewed after twelve months delinquency.

(e) Every licensed barber school or college where students are instructed shall display a sign at each entrance to the school in at least six-inch lettering, stating that all work in said school or college is done by students.

(f) Any licensed school or college which may register a student, or students, shall immediately certify all such students to the Board for a qualified certificate. The school or college shall submit names, addresses, a doctor's certificate certifying each such student is free from any contagious disease, educational record showing the applicant to

have graduated from the 12th grade or its equivalent as determined by the State Department of Education, and any other information which the Board may deem necessary. Each applicant shall be accompanied by a student's registration fee of \$2.00, upon receipt of which, if the student is found to be qualified, the Board shall issue a qualified student certificate.

(g) Every licensed barber school or college shall have not less than one instructor for every 15 students at such school or college.

Section 19. MISCELLANEOUS PROVISIONS—

(a) Nothing contained in this Act shall be construed to prevent the Department of Health of the State of Alabama or any local Board of Health or other board or body, exercising the powers of such local boards, from enacting and enforcing ordinances, codes, rules and regulations pertaining to sanitation in barber shops, in excess of the provisions of this Act, for which authority they have been or may be granted by law.

(b) No owner or manager of a barber shop or barber college shall employ any person as a maid or porter unless said person has on file a health certificate signed by a licensed practicing physician stating that said employee is free from any communicable or contagious disease or from a venereal disease.

(c) Any person or corporation who shall practice, barbering or maintain a school of barbering or a barber shop, or act in any capacity where any certificate or license is required under this Act without a certificate or license as provided in the Act, or shall in any other form or manner violate any of the provisions of the Act or any rules and regulations of the Board, shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Section 20. SEVERABILITY—

The Sections of this Act and the parts of each Section are hereby declared to be independent parts of Sections, and the holding of any Section or part thereof to be void, ineffective, or unconstitutional for any cause, shall not affect the other sections or parts thereof, and it is now declared that the other parts or sections would have been enacted regardless of any section or parts of sections which might be held unconstitutional, inoperative or ineffective.

Section 21. REPEALING CLAUSE—

All laws or parts of laws inconsistent or in conflict with this Act are hereby expressly repealed, it being the legislative intent that the terms of this Act shall be fully effective and all laws or parts of laws heretofore enacted to the contrary, notwithstanding.

Section 22. EFFECTIVE DATE OF ACT BECOMING LAW—

The provisions of this Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 2nd., 1971.

LAJUNE BURNETT,
Notary Public.

Also:

By Mr. May:

H. 1159. To amend the title and Section 1 of Act No. 596, S. 779, Regular Session 1969 (Acts 1969, p. 1083), which provides for the establishment, etc. of public law libraries and the taxing and collection of law library fees as items of court costs in certain cases in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1160. To amend the title and Section 1 of Act No. 651, S. 735, Regular Session 1969 (Acts 1969, p. 1181), which provides for a temporary chairman of the county governing body should the elected chairman become incapacitated, in certain counties classified on a population basis.

Also:

By Mr. May:

H. 1161. To amend the title and Section 1 of Act No. 650, S. 734, Regular Session 1969 (Acts 1969, p. 1180), which pertains to the governing body and county engineers of certain counties classified on a population basis.

Also:

By Mr. May:

H. 1162. To amend the title and Section 1 of Act No. 584, S. 676, Regular Session 1969 (Acts 1969, p. 1071), which requires the teaching of Bible history in all public high schools and provides for instructors therefor, in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1233, 1069, 1091, 1159, 1160, 1161 and 1162. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Burgess and Stewart:

H. 1461. To amend the title and Section 1 of Act No. 412, H. 906, Regular Session 1965 (Acts 1965, p. 601), which authorizes city Boards of Education in certain counties classified on a population basis to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having such boards and to operate said schools as if they were in a separate school district, pursuant to those agreements.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1462. To amend the title and Section 1 of Act No. 446, S. 469, Regular Session 1965 (Acts 1965, p. 649), which prohibits the commissioner of licenses in certain counties classified on a population basis from charging or collecting any fees for administering oaths or acknowledging affidavits.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1463. To amend the title and Section 1 of Act No. 35, H. 3, 2nd Special Session 1963 (Acts 1963, p. 205), which prohibits the probate judge from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit, in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1464. To amend the title and Section 1 of Act No. 94, H. 238, Second Special Session 1965 (Acts 1965, p. 127), which further regulates the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibits the sale of fish so taken in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1465. To amend the title and Section 1 of Act No. 66, H. 19, Special Session 1966 (Acts 1966, p. 90), which regulates and provides for the payment of compensation of election officers in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1466. To amend the title and Section 1 of Act No. 92, H. 232, Second Special Session 1965 (Acts 1965, p. 125), which provides an optional plan by which the county commission of certain counties classified on a population basis may establish two or more voting places within an election precinct; directs the grouping of names of

qualified voters within such precinct and the assignment of said voters to a voting place; and requires the publication of such group-lists and the accompanying assignments.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1467. To amend the title and Section 1 of Act No. 67, H. 20, Special Session 1966 (Acts 1966, p. 80), which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1468. To amend the title and Section 1 of Act No. 479, H. 461, Regular Session 1965 (Acts 1965, p. 693), which provides expense allowances for coroners in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1469. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, p. 333), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1470. To amend the title and Section 1 of Act No. 69, H. 26, Special Session 1966 (Acts 1966, p. 92), which authorizes the county commission of certain counties classified on a population basis to appropriate and expend county funds for the purpose of providing contribution to non-profit Community Action Committee board, and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1471. To amend the title and Section 1 of Act No. 127, H. 235, Special Session 1966 (Acts 1966, p. 162), which regulates the compensation of bailiffs serving the circuit courts of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1472. To amend the title and Section 1 of Act No. 176, H. 463, Regular Session 1965 (Acts 1965, p. 247), as last amended, which regulates the compensation and allowances of members of boards of education in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1473. To amend the title and Section 1 of Act No. 105, S. 251, Regular Session 1965 (Acts 1965, p. 165), which empowers the judge of

probate to try inquisitions of lunacy with or without a jury; prescribes the manner of impaneling jurors where a jury trial is demanded in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472 and 1473. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 205. Relating to counties having populations of not less than 23,900 and not more than 24,450; to require a deposit on court costs in civil cases in intermediate courts in such counties.

Also:

S. 430. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

S. 486. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent Federal decennial census; to provide an expense allowance for the Deputy Sheriffs in all such counties.

Also:

S. 399. To repeal Act No. 237, S. 459, approved August 16, 1967, Regular Session 1967 (Acts 1967, p. 613), entitled, "An Act to apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars."

Also:

S. 445. To repeal Act No. 106, S. 52, approved September 30, 1965, Special Session 1965 (Acts 1965, p. 144), entitled, "An Act To apply only in counties of the State having populations of not less than 18,000 nor more than 19,400 inhabitants according to the last or any subsequent federal decennial census; to further regulate the taking of fish from

public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Also:

S. 149. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1278. To amend the title and Section 1 of Act No. 141, H. 142, Special Session 1969 (Acts 1969, p. 206), which provides for the traveling expenses of the sheriff and constable of the county court for serving summons or other mesne process, except subpoenas for witnesses, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1279. To amend the title and Section 1 of Act No. 373, H. 930, Regular Session 1969 (Acts 1969, p. 741), which provides for taxing, collecting, and remitting of circuit court costs by the town or cities located in certain counties classified on a population basis when a case has been appealed from certain courts or certain disposition has been made of the case.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1280. To amend the title and Section 1 of Act No. 367, H. 915, Regular Session 1969 (Acts 1969, p. 737), which fixes the compensation of officers of the circuit court in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1281. To amend the title and Section 1 of Act No. 364, H. 912, Regular Session 1969 (Acts 1969, p. 734), which provides for expense allowances for certain officers of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1282. To amend the title and Section 1 of Act No. 366, H. 914, Regular Session 1969 (Acts 1969, p. 736), which increases the expense allowance of the county judges in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1283. To repeal Act No. 190, H. 389, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 230), as last amended, entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1284. To repeal Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), approved August 7, 1961, as last amended, "An Act To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1285. To repeal Act No. 158, H. 399, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 206), entitled, "An Act to fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1286. To repeal Act No. 62, H. 102, approved July 2, 1962, Special Session 1962 (Acts 1962, p. 81) entitled, "An Act to amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1287. To repeal Act No. 163, H. 409, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 209) entitled, "An Act to regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1288. To repeal Act No. 192, H. 391, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 231) entitled, "An Act to provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1289. To repeal Act No. 432, H. 752, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 962) entitled, "An Act to amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1290. To repeal Act No. 426, H. 466, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 945), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289 and 1290. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1291. To repeal Act No. 310, H. 554, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 790), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of expense allowances of constables serving the county court in such counties."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1292. To repeal Act No. 146, S. 233, approved July 16, 1965, Regular Session 1965 (Acts 1965, p. 213) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000; regulating the compensation of bailiffs serving the circuit courts of such counties."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1293. To repeal Act No. 167, H. 413, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 211) entitled, "An Act to provide for the appointment and tenure and number, and fixing the compensation, of bailiffs for circuit courts of Alabama in circuits having two

circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1294. To repeal Act No. 365, H. 913, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 735), entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1295. To repeal Act No. 451, S. 436, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 983) entitled, "An Act relating to judicial circuits composed of one county having a population of not less than 96,000 nor more than 108,000; providing a supplemental salary for the judges of such circuits subject to certain contingencies."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1296. To repeal Act No. 706, H. 1117, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1307), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1297. To repeal Act No. 151, S. 234, approved July 20, 1965, Regular Session 1965 (Acts 1965, p. 216) entitled, "An Act to apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1298. To repeal Act No. 157, S. 276, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 227) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1299. To repeal Act No. 318, H. 759, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 438) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1300. To repeal Act No. 700, H. 972, approved September 8, 1967 Regular Session 1967 (Acts 1967, p. 1525) entitled, "An Act to provide additional and alternate methods of annexation of certain territory to municipalities in counties in the State of Alabama having a population of not less than ninety-six thousand (96,000) nor more than one hundred six thousand (106,000) inhabitants according to the last or any subsequent Federal Census."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1311. To repeal Act No. 80, S. 7, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 412), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1312. To amend the title and Section 1 of Act No. 561, H. 396, Regular Session 1961 (Acts 1961, p. 660), which provides further for the operation of the county board of equalization, regulates the term of service, compensation, and expense allowance of the members of said board; further provides for office space, office fixtures, and supplies for said board, and for employment of a secretary-appraiser by said board and other employees of said board in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1313. To amend the title and Section 1 of Act No. 161, H. 407, Regular Session 1961 (Acts 1961, p. 208), which authorizes the governing body to provide paper ballots and ballot boxes as well as voting machines at voting places where voting machines are used in certain elections, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1314. To amend the title and Section 1 of Act No. 165, H. 411, Regular Session 1961 (Acts 1961, p. 210), which relates to the issue and returns of executions in justice of the peace courts and other courts of like jurisdiction in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1315. To amend the title and Section 1 of Act No. 195, H. 394, Regular Session 1961 (Acts 1961, p. 233), which provides an assistant coroner for certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1316. To amend the title and Section 1 of Act No. 186, H. 384, Regular Session 1961 (Acts 1961, p. 228), which provides for the furnishing of equipment, supplies, clerks, deputies, and other assistants for certain officials in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1317. To amend the title and Section 1 of Act No. 187, H. 385, Regular Session 1961 (Acts 1961, p. 229), which authorizes the purchase by the county governing body of uniforms for the use of uniformed employees of the sheriff in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1318. To amend the title and Section 1 of Act No. 189, H. 388, Regular Session 1961 (Acts 1961, p. 230), which provides for a chief clerk and assistant chief clerk in the circuit court and a chief clerk in the county court of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1319. To amend the title and Section 2 of Act No. 202, H. 398, Regular Session 1961 (Acts 1961, p. 236), which relieves certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1320. To amend the title and Section 1 of Act No. 46, H. 260, Regular Session 1965 (Acts 1965, p. 64), which prohibits the taxation and collection of certain fees and costs in misdemeanor cases for violations of the game and fish laws in the county courts of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319 and 1320. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Wynot and Waldrop:

H. 1341. To amend the title and Section 1 of Act No. 286, S. 286, Regular Session 1963 (Acts 1963, p. 731), which provides for certain teachers in the public schools who are over age seventy to be continued in service, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1342. To amend the title and Section 1 of Act No. 178, H. 205, Special Session 1964 (Acts 1964, p. 245), which regulates further the compensation and allowance of the sheriff in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1343. To amend the title and Section 1 of Act No. 213, H. 31, Special Session 1964 (Acts 1964, p. 287), which restores or reconfers on certain justices of the peace and notaries public ex officio justices of the peace, certain jurisdiction withdrawn from them by local acts, in certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1344. To amend the title and Section 1 of Act No. 89, H. 212, Second Special Session 1965 (Acts 1965, p. 118), which provided expense allowances for circuit judges in certain counties classified on a population basis, payable out of the general funds of such counties.

Also:

By Mr. Casey:

H. 1345. To amend the title of Act No. 767, H. 708, Regular Session 1969 (Acts 1969, p. 1365), which further regulates the salary of members of the tax equalization board, board of registration, and jury commission in certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1346. To amend the title and Section 1 of Act No. 60, H. 395, Regular Session 1969 (Acts 1969, p. 353), which regulates the compensation of the county superintendent of education of certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1347. To amend the title and Section 1 of Act No. 376, H. 862, Regular Session 1963 (Acts 1963, p. 876), which authorizes and provides for a recount of the vote in certain ballot boxes on order of the circuit judge, in certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1348. To amend the title and Sections 1 and 2 of Act No. 29, H. 27, Regular Session 1965 (Acts 1965, p. 48), which authorizes the governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Also:

By Mr. Casey:

H. 1349. To repeal Act No. 406, H. 987, approved August 30, 1963, Regular Session 1963 (Acts 1963, p. 906), entitled, "An Act prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement."

Also:

By Mr. Casey:

H. 1350. To amend the title and Section 1 of Act No. 485, H. 946, Regular Session 1965 (Acts 1965, p. 698), which regulates further the compensation of clerical assistants of certain officers of certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349 and 1350. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1301. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; providing for payment of expense allowances of constables serving the county court in such counties.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1302. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal de-

cennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and compensation of such deputy constable.

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1303. To repeal Act No. 490, H. 1042, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 710) entitled, "An Act to amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1304. To repeal Act No. 633, H. 1041, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1155) entitled, "An Act relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census: to provide an expense allowance for the judge of probate of any such county."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1305. To repeal Act No. 701, H. 900, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1303) entitled, "An Act to amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, V. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1306. To repeal Act No. 713, H. 1215, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1318) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1307. To repeal Act No. 72, H. 209, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 95) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1308. To repeal Act No. 413, H. 421, approved, September 12, 1966, Special Session 1966 (Acts 1966, p. 559), as last amended, en-

titled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1309. To repeal Act No. 176, H. 255, approved August 23, 1966, Special Session 1966 (Acts 1966, p. 208), as last amended, entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; to regulate further the compensation and allowances payable from the county treasuries of all such counties to certain public officers and their deputies, to fix the amount of the total salaries of certain county officers and deputies of such counties; to fix the amount of the supplemental salary payable by these counties to certain public officers, who are paid in part from the State treasury; to provide temporary allowances to certain officers; to prescribe different times for the several provisions of this Act to become effective; and to prescribe when certain parts of this Act shall expire and be repealed."

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 1310. To repeal Act No. 104, H. 200, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 444) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309 and 1310. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Casey:

H. 1351. To amend the title and Sections 1 and 2 of Act No. 964, S. 322, Regular Session 1961 (Acts 1961, p. 1571), which regulates the compensation of members of the county board of education of certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1352. To repeal Act No. 128, H. 117, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 181), entitled, "An Act To regulate the compensation of county superintendents of education in all counties having populations of not less than 10,800 nor more than 12,000, and repeal conflicting laws."

Also:

By Mr. Casey:

H. 1353. To amend the title and Section 1 of Act No. 365, S. 372, Regular Session 1965 (Acts 1965, p. 500), which allows the governing body of certain counties classified on a population basis to authorize the tax collector to send notices and receipts of taxes due and paid to tax payers and provide that expenses therefor shall be paid from the county general fund.

Also:

By Mr. Casey:

H. 1354. To amend the title and Section 1 of Act No. 305, H. 994, Regular Session 1963 (Acts 1963, p. 888), which prohibits payroll deduction of dues of school employees in professional organizations and prescribes punishments for violations, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1376. Relating to the compensation of tax assessors and tax collectors in counties having population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

By Messrs. Bassett and Hardin:

H. 1420. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census.

Also:

By Mr. Stubbs:

H. 1421. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Article 4, Section 106, Constitution of Alabama, that application will be made to the Legislature of Alabama for enactment of a local law applicable to the City of Alabaster in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein, to-wit:

Begin at the northwest corner of the South half of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West; thence run easterly along the north boundary line of said S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West for 1245 feet, more or less, to a point on the center line of Interstate Highway No. 65; thence run southwesterly along the center line of I-65 for 1550 feet, more or less, to the point of intersection of the center line of I-65 and the center line of U. S. Highway No. 31; thence run northwesterly along the center line of U. S. Highway No. 31 for 990 feet, more or less, to the point of intersection of the center line of U. S. Highway No. 31 and the west boundary line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West; thence run northerly along the west boundary line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West for 896 feet, more or less, to the point of beginning; situated in Shelby County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county Mildred White Wallace, who being duly sworn, according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: June 10, 17, 24 and July 1, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 2nd. day of July, 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 1422. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
SHELBY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

An Act, to alter, re-arrange and extend the boundaries and corporate limits of the city of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the city of Alabaster, so as to incorporate certain territory as described herein, to-wit:

Begin at the southeast corner of Section 36, Township 20 South, Range 3 West, run thence in a westerly direction along the south line of said Section to the southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 Township 20 South, Range 3 West; thence run in a northerly direction along the west line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the northwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 20 South, Range 3 West; thence run in an easterly direction along the north line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 20 South, Range 3 West to the southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West; thence run in a northerly direction along the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West to the northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West; thence run in a westerly direction along the south line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West for 1100 feet, more or less, to the point of intersection of the south boundary line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West and the center line of a county road as now located; thence run northwesterly along the center line of said county road to it's intersection with the west line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West; thence run in a northerly direction along the west line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West, to the northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West; thence run in an easterly direction along the north line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the NE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West; run thence north along the west line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30 Township 20 South, Range 2 West to the northwest corner of Section 30, Township 20 South, Range 2 West; thence run in an easterly direction along the north line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West to the northeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West; thence run in a northerly direction along the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West to the Northwest corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West; thence run in an easterly direction along the north line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West to the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West to the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19,

Township 20 South, Range 2 West; thence run in a northerly direction along the west line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West and the west line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West to the northwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West; thence run in an easterly direction along the north line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West to the northeast corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West; thence run in a northerly direction along the west line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West to the northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West; thence run in an easterly direction along the north lines of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West to the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West; thence run in a southerly direction along the east line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West to the southeast corner of Section 17, Township 20 South, Range 2 West; thence run in a westerly direction along the south line of Section 17, Township 20 South, Range 2 West to the southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 20 South, Range 2 West; thence run in a southerly direction along the east line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West to the southeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West thence run in a westerly direction along the south line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West to the southwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West; thence run in a southerly direction along the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the southeast corner of the NW $\frac{1}{4}$ of Section 20, Township 20, South, Range 2 West; thence run in a westerly direction along the south line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 20, Township 20 South, Range 2 West to the southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West; thence run in a southerly direction along the east line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West to the southeast corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West; thence run in a westerly direction along the south line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West to the southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 2 West; thence run in a southerly direction along the east line of Section 19, Township 20 South, Range 2 West to the Southeast corner of Section 19, Township 20 South, Range 2 West; thence run in a westerly direction along the south line of Section 19, Township 20 South, Range 2 West to the southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West; run thence in a southerly direction along the east line of NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West to the southeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West; run thence in a westerly direction along the south line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ to the southwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West; run thence in a southerly direction along the east line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West to the southeast corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 20 South, Range 2 West; run thence in a westerly direction along the south line of Section 30, Township 20 South, Range 2 West to the southwest corner of Section 30, Township 20 South, Range 2 West; run thence in a southerly direction along the east line of Section 36, Township 20 South, Range 3 West,

to the southeast corner of Section 36, Township 20 South, Range 3 West, to the point of beginning; situated in Shelby County, Alabama.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the city of Alabaster, voting in a referendum election to be held on a day designated by the probate judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Shelby County, and the election shall be held conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama, 1940 as recompiled for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate Judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____ of the 1971 REgular Session of the Legislature, which alters, rearranges and extends the corporate limits of the city of Alabaster in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The city of Alabaster shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "yes", the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn, according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: June 10, 17, 24 and July 1, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 2nd. day of July, 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Coshatt:

H. 1426. Regulating the compensation and allowances of members of the St. Clair County board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating the compensation and allowances of members of the St. Clair County Board of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County the members of the county board of education shall receive from the public school funds of the county \$15.00 a day and their actual traveling and hotel expenses incurred in attending meetings of the board and transacting the business of the board. The members of the county board shall not be allowed pay for more than 24 days in any one year, and their per diem pay and expenses shall be paid from the public school funds of the county.

Section 2. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Vickie Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5/27, 6/3, 6/10, and 6/17, all in the year 1971.

VICKIE HOWARD.

Sworn to and subscribed before me July 13, 1971.

ETHEL BLAIR,
Notary Public.

Also:

By Mr. Coshatt:

H. 1427. To amend the title of Act No. 47, H. 57, p. 2671, Acts of Alabama 1970 Special Session, so as to change the population classification figures in said act.

Also:

By Mr. Coshatt:

H. 1428. To repeal Act No. 335, H. 843, approved August 10, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400; regulating the compensation and allowances of members of the county board of education." (Acts of Alabama, 1965, p. 464).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1351, 1352, 1353, 1354, 1376, 1420, 1421, 1422, 1426, 1427 and 1428. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1321. To amend the title and Section 1 of Act No. 878, S. 594, Regular Session 1965 (Acts 1965, p. 1645), which provides further for the selection of textbooks and instructional materials in the public schools of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1322. To amend the title and Sections 1 and 4 of Act No. 809, H. 1273, Regular Session 1965 (Acts 1965, p. 1511), which provides an administrative consultant to the circuit clerk and to prescribe qualifications, duties, compensation and terms thereof, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1323. To amend the title and Section 1 of Act No. 397, H. 922, Regular Session 1965 (Acts 1965, p. 574), which confers upon solicitors the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1324. To amend the title and Section 1 of Act No. 73, H. 65, Special Session 1966 (Acts 1966, p. 102), which regulates further the county court of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1325. To amend the title and Section 1 of Act No. 39, S. 23, Special Session 1966 (Acts 1966, p. 62), which authorizes the Clerk of the County Court to appoint two of his assistants to be assistant Chief Clerks of the Criminal and Civil Divisions, respectively, of said court, in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1326. To amend the title and Section 1 of Act No. 464, H. 528, Regular Session 1967 (Acts 1967, p. 1155), which provides for the fix-

ing, disposition, and use of fees collected for the issuance of pistol permits in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1327. To amend the title and Section 1 of Act No. 1184, H. 1357, Regular Session 1969 (Acts 1969, p. 2213), which provides an additional supplementary salary for the circuit court reporters of certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1328. To amend the title and Section 1 of Act No. 619, H. 782, Regular Session 1967 (Acts 1967, p. 1423), as last amended, which provides for the distribution of a portion of the State Gasoline Excise Tax among municipalities in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1329. To amend the title and Sections 1, 2, and 3 of Act No. 538, S. 589, Regular Session 1967 (Acts 1967, p. 1287), which provides additional and alternate methods of annexation of certain municipalities in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1330. Relating to counties having a population of not less than 90,000 nor more than 100,000; fixing the compensation of certain officers in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329 and 1330. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Burgess and Stewart:

H. 1433. To amend the title and Section 1 of Act No. 196, H. 213, Special Session 1967 (Acts 1967, p. 243), which authorizes the county commission of certain counties classified on a population basis to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1434. To amend the title and Section 1 of Act No. 257, H. 773, Regular Session 1969 (Acts 1969, p. 589), which allows a judge to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present, in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1435. To amend the title and Section 1 of Act No. 506, S. 554, approved August 22, 1951 (Acts 1951, p. 898), as last amended, which relates to the circuit solicitors of certain judicial circuits composed of two counties, one of which is classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1436. To amend the title and Section 1 of Act No. 149, H. 167, Special Session 1969 (Acts 1969, p. 215), which fixes the per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Also:

By Messrs. Burgess and Stewart:

H. 1437. To amend the title and Section 1 of Act No. 135, H. 436, Regular Session 1969 (Acts 1969, p. 409), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such fees, in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1438. To amend the title and Section 1 of Act No. 253, H. 756, Regular Session 1969 (Acts 1969, p. 585), which provides for the condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer and provides for the disposition of the proceeds of the sale thereof, in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1439. To amend the title and Section 1 of Act No. 118, S. 73, Special Session 1962 (Acts 1962, p. 152), which authorizes the licensing and regulation of and hunting on certain privately owned hunting preserves; prescribes fees for such license; provides for collection and distribution of such fees, and penalties for violations of this Act, in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1440. To amend the title and Section 1 of Act No. 460, H. 516, Regular Session 1967 (Acts 1967, p. 1151), which declares the public

policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951 and as further amended by an Act approved July 24, 1953, to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes to declare that habitual violation of said statutes constitute a legal nuisance, to provide certain exemptions; to prevent unfair competition among merchants through violations of said statutes; to provide for the enforcement by injunction from a court in equity of the provisions of such legal action in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1441. To amend the title and Section 1 of Act No. 192, S. 77, Special Session 1969 (Acts 1969, p. 254), which provides for the appointment, duties, and authority of an assistant chief clerk in the office of the judge of probate; to provide bonding, and provide for compensation, in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1442. To amend the title and Section 1 of Act No. 150, H. 168, Special Session 1969 (Acts 1969, p. 216), which provides for the establishment of a work schedule for firemen; provides maximum per week work hours for firemen with exceptions in certain emergencies; provides for the determination of when an emergency exists, and provides for organization of the fire department into platoons, in certain cities classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1443. To amend the title and Section 1 of Act No. 67, H. 56, 1st Special Session 1956 (Acts 1956, p. 99), as last amended, which abolishes the fine and forfeiture funds for certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1444. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts 1957, p. 678), as last amended, which further regulates the alteration and extension of the corporate limits and boundaries of incorporated municipalities in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1445. To amend the title and Section 1 of Act No. 73, H. 219, Regular Session 1967 (Acts 1967, p. 407), which provides that the county commission of certain counties classified on a population basis shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1446. To amend the title and Section 1 of Act No. 492, S. 414, Regular Session 1957 (Acts 1957, p. 681), as last amended, which relates to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1447. To amend the title and Section 1 of Act No. 183, H. 364, Regular Session 1961 (Acts 1961, p. 225), as last amended, which authorizes the establishment of branch banks in certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1448. To amend the title and Section 1 of Act No. 148, H. 166, Special Session 1969 (Acts 1969, p. 215), which fixes the compensation of members of the jury commission in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447 and 1448. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Adwell, Boles, Waggoner, Meeks, Jones (E), Ellis, Boutwell, Erdreich, McBride, Timmons, Parker (H), Wallace, Weeks, Gafford, and Dill:

H. J. R. 110. Honoring Dr. Alston Callahan for services and outstanding work done in Birmingham, Alabama.

Also:

By Messrs. Pruitt and Manley:

H. J. R. 111. Relative to the naming of any new, reconstructed or renovated bridge or bridges across the Tombigbee River at Moscow.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 110 and 111, set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake and St. John:

H. J. R. 114. NAMING THE BRIDGES ON CULLMAN COUNTY ROAD NUMBER 15 WHICH CROSSES L. M. SMITH LAKE IN HONOR OF MR. JOHN PHILLIPS.

WHEREAS the bridge on Cullman County road number 15, which crosses L. M. Smith Lake between the communities of Brusby Pond and Wheat has never been officially named; and

WHEREAS this bridge lies in an area that was originally settled and owned by Mr. John Phillips, an outstanding farmer and citizen of Cullman County, for a great many years; and

WHEREAS the legislature deems it appropriate to honor this fine gentleman by naming the bridge for him; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the bridge crossing L. M. Smith lake on Cullman County road number 15, be named the "Phillips Bridge."

BE IT FURTHER RESOLVED, That the Clerk of the House be directed to send a copy of this resolution to Mrs. Dennis Blalock, Route 1, Hanceville, Alabama, and Mrs. Gilbert A. Day, 605 3rd Avenue West, Cullman, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 114, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 36. Requesting that the corps of Army Engineers name the Jones Bluff Lock and Dam Facility for Dr. Robert F. Henry.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Wilson:

S. 907. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 908. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 909. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 910. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 911. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 912. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 913. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, abolishing the office of county or deputy solicitor in such counties and conferring the duties of such office upon the district attorney.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 914. Relating to counties having a population of not less than 23,900 nor more than 24,450 and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 915. To repeal Act No. 88, H. 208, Second Special Session 1965 (Acts 1965 Second Special Session v. 1, p. 118) an Act to prescribe the duties of the county solicitor or the prosecutor of the inferior courts, including the intermediate courts, of counties having populations of not less than 21,900 nor more than 22,300 according to the most recent or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 916. Act No. 31, H. 96 Third Special Session 1965 (Acts 1965 Third Special Session v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 917. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation out of funds accruing from the motor vehicle and trailer license taxes; and directing the probate judge to withhold each year \$15,000 from the first moneys collected from the motor vehicle and trailer license taxes to be used for this purpose.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 918. To regulate the compensation of jurors in counties having populations of not less than 23,900 nor more than 24,450.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 919. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 920. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal

decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 921. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 922. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 923. To apply only in counties having populations of not less than 23,900 nor more than 24,450 providing expense allowances payable from the county treasury for the coroners of such counties.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 924. To apply only in counties having populations of not less than 23,900 nor more than 24,450, fixing the compensation of members of the jury commission.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 925. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 926. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 927. Relating to counties having a population of not less than 23,900 nor more than 24,450, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 928. To authorize and provide for the final record in civil suits at law in the Circuit Court and in any County or Inferior Court of record in all counties having a population of not less than 110,000 and not more than 150,000 inhabitants as shown by the last or any succeeding Federal census.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 929. Providing for the creation of a lien on land and improvements in favor of those who furnish tools, appliances or machinery for use in construction and improvements thereon.

Committee on Judiciary.

By Mr. Harris:

S. 930. To prohibit the obtaining of leased or rented personalty by fraud.

Committee on Judiciary.

By Mr. Harris:

S. 931. Relating to the conversion of leased or rented personalty; prohibiting any disposition of such property by the lessee or renter which prevents a recovery thereof by the lessor at the expiration of the lease or under the terms of the rental agreement; repealing conflicting laws (Act No. 68, H. 73, approved June 3, 1953).

Committee on Judiciary.

By Messrs. Bailes and Wilson:

S. 932. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in actions and suits of a civil nature, whether cognizable at law or in equity.

Committee on Judiciary.

By Mr. Givhan:

S. 933. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

Committee on Agriculture.

By Mr. Foshee:

S. 934. To provide for the regulation of the construction of water wells, to provide a system of reporting information concerning the drilling of water wells and results, to provide for the licensing of water well drillers, to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act, creating a board to be known as the Alabama Water Well Standards Board,

to provide for the qualification, appointment and removal of board members and the filling of vacancies and fixing their tenure of office, and providing penalties for violation of this Act.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Clark:

S. 935. To authorize establishment of branch banks in Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment of branch banks in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1 Any bank, either incorporated or unincorporated, whose principal place of business is located in Barbour County shall have the power to establish, to maintain, and to operate within the limits or boundaries of such county one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch place of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking business, provided that such bank, before establishment of any such branch or branches, shall first secure the written consent of the State Superintendent of Banks or the Comptroller of the Currency, as the case may require. Provided further that no such branch shall be located outside the corporate limits of the municipality in which the main bank is located.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me July 27, 1971.

SHERRY G. HARRISON,
Notary.

My Commission Expires December 30, 1973.

By Mr. Owen:

S. 936. To provide for public hearing prior to advertising for oil and gas leases any submerged lands under the control or jurisdiction of the Lands Division of the Department of Conservation.

Committee on Conservation.

By Mr. Fine:

S. 937. To expand offerings at Northwest Alabama State Junior College to senior college status.

Committee on Finance and Taxation.

By Mr. Malone:

S. 938. To provide for the establishment of the Alabama College of Technology, an upper division college, to be located on the grounds of Gadsden State Junior College; and to provide for the programs, curricula, administration, management and control of the said Alabama College of Technology.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 939. Relating to counties having populations of not less than 100,000 nor more than 110,000 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Lindsey, Register, Clark, Dozier, Pelham, McLain, Shelby, Harris, Lybrand, O'Bannon, Fine, Malone, Foshee, Noonan, Owen, Littleton, Hammond, Edington, Weaver, Jones, Pierce and Branyon:

S. 940. To repeal Title 29, Section 102, Code of Alabama 1940, which Section allows sheriffs or other officers a FIFTY DOLLAR (\$50.00) fee for furnishing evidence to support a conviction in distilling cases.

Committee on Judiciary.

By Mr. Shelby.

S. 941. To create a Bureau of Educational Opportunities under the State Board of Education for the purpose of promoting and expanding post secondary education for the youth of Alabama; prescribing the personnel, duties and responsibilities of said bureau.

Committee on Finance and Taxation.

By Mr. Harris:

S. 942. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 943. To amend the title and Section 1 of Act No. 127, H. 142, Regular Session 1961 (Acts 1961, p. 167) which provides for the election of the municipal governing body in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 944. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Givhan:

S. 945. To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County, is hereby amended to read as follows:

"Section 6. Be it further enacted, That no person shall be eligible to election as commissioner unless he is at the time of his qualification as a candidate for such office a qualified elector and resident of Perry County. All such commissioners shall be elected by the qualified electors of the county at large."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me July 22, 1971.

ELIZABETH F. STEWART,
Notary Public,
Perry County, Ala.

By Mr. McLain:

S. 946. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Committee on Municipal Government.

By Mr. McLain:

S. 947. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations by extending such exemptions to the Elks Memorial Center For The Handicapped, The Alabama Sheriffs' Boys Ranch, The North Alabama T. B. Association, The Eufaula Heritage Association, and to the University of Alabama Huntsville Foundation.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 948. Providing that \$150,000 dollars be appropriated from the Special Educational Trust Fund to rebuild the school at Joppa, Alabama in Cullman County.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 38. Relative to establishing a legislative committee to study parking and parking problems in the Capitol complex.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 518. To amend Sections 182, 184, 185, 186, 189, 191, 200, 201, 202, Subsections A, B and G of Section 204, Sections 224 and 225, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to unemployment compensation contributions, payments in lieu of contributions, coverage, tax base and tax rates.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 86. Memorializing Daniel Louis Armstrong, otherwise known as "Satchmo".

Also:

H. J. R. 90. Commending Julian Newman.

Also:

H. J. R. 98. Congratulating Walter Lewis, Jr., for winning the Punt, Pass and Kick National Title.

Also:

H. J. R. 99. Mourning the death of Charles Edmund Harrison.

Also:

H. J. R. 100. Congratulating Mike Braswell for winning the Punt, Pass and Kick National Title.

Also:

H. J. R. 101. Saluting Honorable Huett Artman Snow, County Engineer of Jefferson County, on his distinguished career and his well-deserved designation as the outstanding "Urban County Engineer of the Year".

Also:

H. J. R. 97. Welcoming the Wandering Wheels to Alabama.

Also:

H. J. R. 104. Naming the Student Center at Enterprise State Junior College the Lurleen B. Wallace Student Center.

Also:

H. J. R. 105. Naming the Science Building at Enterprise State Junior College "Louie H. Sessions Hall".

Also:

H. J. R. 106. Naming the library at Enterprise State Junior College "William Elbert Snuggs Library".

Also:

H. J. R. 107. Commending Speaker Sage Lyons.

Also:

H. J. R. 108. Mourning the death of Drexel Rushing.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 52. To make an appropriation to the George Corley Wallace State Junior College and Technical Institute, Selma, Alabama, for salaries and equipment outlay purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Timmons, Lyons, Ellis, and Parker (H):

H. J. R. 112. REQUESTING CONGRESS TO PLACE "REVENUE SHARING" PROGRAMS ON DIRECT GRANTS TO STATES.

WHEREAS all tax monies obtained by the federal government are derived from money paid by the individual citizens of each state; and

WHEREAS there are several measures pending before the United States Congress which are known as "revenue sharing" measures some of which require matching funds from the several states, some propose direct grants to the states under certain conditions and at least one measure proposes to channel this new form of assistance directly to county and municipal governments thereby completely bypassing state governments; and

WHEREAS the revenues of the states are extremely limited and state governments are straining to their utmost to maintain their present budgets; and

WHEREAS any proposal to leave state government out of this new and far-reaching form of assistance would jeopardize the developing pattern of recent years which has brought increasing legislative attention to our urban centers and fails to recognize that only state government has the comprehensive jurisdiction to coordinate a total attack on urban problems; and

WHEREAS any "revenue sharing" measure which provides a true and direct grant to the individual states without requiring the states to put up matching funds would be most effective in combating the financial problems which beset the individual states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature requests the Congress of the United States to give its most urgent and sincere consideration to placing all "revenue sharing" measures on the basis of true grants made directly to the governments of the individual states and without requiring the states to match federal funds with state funds.

BE IT FURTHER RESOLVED That copies of this resolution be forwarded to each member of Alabama's Congressional Delegation, to the Clerk of each House of Congress and to the President of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 112, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ellis, et al (with amendment):

H. 91. To prohibit the blocking of highways, impeding of vehicular traffic, or otherwise interfering with the free flow of traffic for the purpose of soliciting funds, money, contributions or donations for any purpose.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 809. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114, as amended by Section 1, Act No. 870, Acts of Alabama 1965, p. 1631, and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

By Mr. Cooper:

S. 808. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114, as amended by Section 1, Act No. 870, Acts of Alabama 1965, p. 1631, and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

By Mr. Cooper:

S. 807. To amend Title 22, Section 199, Code of Alabama 1940, to further provide for the care of patients; nonresident patients; reports as to patients; and charges for treatment in tuberculosis hospitals by establishing the number of subsidized beds for indigent tuberculosis patients and further providing for operation of clinics for treatment and control of tuberculosis.

By Mr. Lutz, et al:

H. 651. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

By Mr. Bank, et al:

H. 316. Relating to model glue; prohibiting inhalation and providing a penalty.

By Mr. Bank, et al:

H. 291. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

By Messrs. Harris and Taylor:

H. 265. To authorize the Alabama Corrections Institution Finance Authority to continue to lease a portion of the Kilby property and to give certain improvements thereon to the Environmental Protection Agency of the United States of America for the purpose of maintaining and operating an environmental laboratory.

RESOLUTIONS

Messrs. O'Bannon and Lindsey offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. DEMANDING PROPER OPERATION OF RAILROAD YARDS

WHEREAS Leo Bruce Brackin, of Sheffield Alabama, was recently killed and another person seriously injured by the ramming of an automobile by a railroad car, as a result of improper switching by supervisory personnel operating the yard because of a strike; and

WHEREAS Code of Alabama 1940, Title 48, Sections 179, 180, and 181 provide for the proper qualifications and examinations of switchmen and other railroad technicians, for the good of the general public; and

WHEREAS it is the responsibility of the Alabama Public Service Commission to oversee the proper and safe operation of all common carriers in this State; and

WHEREAS labor disputes notwithstanding, the safety of the general public must be the first concern of all persons, associations or corporations engaged in any operation dangerous to that public, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body hereby demands that the Alabama Public Service Commission invoke and enforce the Code provisions cited above, and require that only trained and qualified personnel operate yards and mainline operations where the lives of the general public are placed in jeopardy.

BE IT FURTHER RESOLVED, That this body is deeply disturbed by the blatant disregard of the law, and if compliance is not immediately forthcoming will take further legislative action to protect the public.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. MOURNING THE DEATH OF BRUCE HENDERSON

WHEREAS Bruce Henderson, age 79 and a citizen of Miller's Ferry died on July 10, 1971 after a long illness; and

WHEREAS Bruce Henderson earned bachelors and masters degrees in agriculture and animal husbandry from the University of Illinois; and

WHEREAS Bruce Henderson had a great interest in livestock and served as first president of the Alabama Cattlemen's Association; and

WHEREAS Bruce Henderson was very active in public life serving as a member of the Wilcox County Board of Education for twelve years and was elected to the Alabama Senate three times where he worked on problems such as Education, Agriculture and Health; and

WHEREAS Bruce Henderson was selected as the most influential member of the senate in 1949 by the Capitol Press Corps and he was elected president pro tem of the senate in 1947; and

WHEREAS he is greatly mourned by his friends in Miller's Ferry and especially his wife and children, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they express their sincere sorrow at the passing of this outstanding man and do pass this resolution as a memorial to his exemplary life, his benevolence and service to his fellowman.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his wife, Mrs. Ethel Gabby Henderson; his two sons, Donald R. Henderson and James Bruce Henderson Jr.; his two daughters, Mrs. Joe Newell Robinson and Mrs. Malcolm Bean McDonald.

And said resolution was read and ordered to lay over on the Secretary's desk.

BILLS ON THIRD READING

The Bill:

H. 190. To make an appropriation for the purpose of purchasing Free Textbooks for the fiscal year ending September 30, 1971.

was taken up.

Mr. Bailes offered the following amendment to the Bill, H. B. 190, to-wit:

AMENDMENT TO H. B. 190

In Section 1 strike out the words "State Board of Education", and insert in lieu thereof the following:

"the several County and City Boards of Education."

Mr. Wilson moved that said amendment be laid on the table, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Hammond	Lybrand	Owen	
Branyon	Harris	Malone	Pelham	
Clark	Horne	Noonan	Register	
Cooper	Littleton	O'Bannon	Wilson	
Givhan				—16

Nays:

Messrs.:	Dozier	Gilmore	Pierce	
Bailes	Edgington	Hawkins	Shelby	
Carr	Fine	Jones	Vacca	
Cook	Foshee	King	Wilder	
Dominick				—16

The President and Presiding Officer of the Senate voted "Nay"; therefore, the motion to table was lost.

The question was then on the amendment offered by Mr. Bailes to the Bill, H. B. 190, and said amendment was then adopted.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce
Bailes	Edington	Jones	Shelby
Carr	Fine	King	Vacca
Cook	Foshee	Littleton	Wilder
Dominick	Gilmore		

—17

Nays:

Messrs.:	Hammond	Lybrand	Owen
Branyon	Harris	Malone	Pelham
Clark	Horne	Noonan	Register
Cooper	Lindsey	O'Bannon	Wilson
Givhan			

—16

Mr. Bailes then offered the following amendment to the Bill, H. B. 190, as amended, to-wit:

AMENDMENT TO H. B. 190

Strike out Section 2 and insert in lieu the following:

Section 2. The funds appropriated from the Alabama Special Education Trust Fund are to be paid to the several County and City Boards of Education pro-rata according to the number of students in average daily attendance.

Re-number the present Section 2 to read Section 3.

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Register
Clark	Hammond	McLain	Weaver
Cooper	Harris	O'Bannon	Wilson
Dozier	Horne	Owen	

—18

Nays:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lybrand	Shelby
Carr	Gilmore	Malone	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Jones		

—17

Mr. Bailes then offered the following amendment to the Bill, H. B. 190, as amended, to-wit:

AMENDMENT TO H. B. 190

In Section 1 strike out the words and figures "one million five hundred thousand dollars (\$1,500,000.00)" and insert in lieu thereof the following words and figures:

"four million dollars (\$4,000,000.00)".

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Foshee	Lindsey	Owen
Branyon	Givhan	Littleton	Pelham
Clark	Hammond	Lybrand	Register
Cooper	Harris	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilson

—19

Nays:

Messrs.:	Dozier	Jones	Pierce
Bailes	Edington	King	Shelby
Carr	Fine	McLain	Vacca
Cook	Gilmore	Malone	Wilder

—15

Mr. Bailes then offered the following amendment to the Bill, H. B. 190, as amended, to-wit:

AMENDMENT TO H. 190

In Section 1 strike out the words and figures "one million five hundred thousand dollars (\$1,500,000.00)" and insert in lieu thereof the following words and figures:

"one million dollars (\$1,000,000)"

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cooper	Harris	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Fine	Lindsey	Owen	Wilson
Foshee	Littleton	Pelham	

—26

Nays:

Messrs.:	Carr	Dominick	Jones
Bailes	Cook	Edington	Pierce

—7

Mr. Bailes then offered the following amendment to the Bill, H. B. 190, as amended, to-wit:

AMENDMENT TO H. 190

In Section 1 strike out the words and figures "one million five hundred thousand dollars (\$1,500,000.00)" and insert in lieu thereof the following words and figures:

"two million dollars (\$2,000,000.00)".

On motion of Mr. Wilson, said amendment was laid on the table.

Mr. Wilson moved that the Senate reconsider the vote by which the first Bailes amendment to the Bill, H. B. 190, was adopted, and the Senate did reconsider said vote.

On motion of Mr. Wilson, said amendment to the Bill, H. B. 190, was then laid on the table.

Mr. Dominick offered the following amendment to the Bill, H. B. 190, to-wit:

AMENDMENT TO H. B. 190

At the end of Section 1 of the bill, add the following: "Free textbooks shall be distributed only to those students for whom free lunches are provided and to no others."

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Hammond	McLain	Pierce
Branyon	Harris	Malone	Register
Clark	Horne	Noonan	Shelby
Cooper	Jones	O'Bannon	Weaver
Edington	Lindsey	Owen	Wilder
Foshee	Littleton	Pelham	Wilson
Givhan	Lybrand		

—25

Nays:

Messrs.:	Carr	Dominick	King
Bailes	Cook	Dozier	Vacca

—7

Mr. Dominick then offered the following amendment to the Bill, H. B. 190, to-wit:

AMENDMENT TO H. B. 190

At the end of Section 1 of the bill, add the following: "Free textbooks shall be first distributed to those students for whom free lunches are provided and such distribution shall be based on the same order of priority as is provided for the free lunch program. After all students who receive free lunches have been furnished with free textbooks, then and only then shall such textbooks be furnished to other students."

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Hammond	McLain	Pierce
Branyon	Harris	Malone	Register
Clark	Horne	Noonan	Shelby
Cooper	Lindsey	O'Bannon	Weaver
Dozier	Littleton	Owen	Wilder
Givhan	Lybrand	Pelham	Wilson

—23

Nays:

Messrs.:	Cook	Fine	King
Bailes	Dominick	Gilmore	Vacca
Carr	Edington	Jones	

—10

And said Bill, H. B. 190, was read a third time at length and passed.

Yeas 33; Nays 1.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—33
Nay:	Mr. Dominick			—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Resolution No. 122, and sends same herewith to the Senate for its information and decision, an answer to which is requested:

By Mr. Jones (Fred):

H. R. 122. WHEREAS, the action of the Federal Court has required that the Legislature of Alabama be a part of court proceedings regarding reapportionment, and has cast tremendous pressure of time on all our legislative proceedings until such court action is resolved;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the House, while recognizing that our Senate colleagues are showing commendable determination to complete the work of this session as expeditiously as possible, respectfully and urgently requests that the Senate temporarily rescind its resolution to meet three times weekly and to go back on a twice-weekly schedule in order that the court proceedings can be disposed of and the business of the House and Senate can be accomplished.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Senate as expeditiously as possible.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The foregoing Message from the House, relative to scheduling the remainder of the Legislative Session, was read and ordered spread upon the Journal.

And the President and the Presiding Officer of the Senate instructed Messrs. Pelham and Fine to compile an answer to said Message.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 149. To amend Sections 2, 3 and 8 of Act No. 865 of the 1961 Legislature of Alabama, approved September 8, 1961 (Alabama General Acts, 1961, Volume II, page 1349 et seq.), so as to provide that any one or more persons duly licensed to practice a profession under the laws of this State may form a professional association.

Also:

S. 205. Relating to counties having populations of not less than 23,900 and not more than 24,450; to require a deposit on court costs in civil cases in intermediate courts in such counties.

Also:

S. 399. To repeal Act No. 237, S. 459, approved August 16, 1967, Regular Session 1967 (Acts 1967, p. 613), entitled, "An Act to apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars."

Also:

S. 430. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

S. 445. To repeal Act No. 106, S. 52, approved September 30, 1965, Special Session 1965 (Acts 1965, p. 144), entitled, "An Act To apply only in counties of the State having populations of not less than 18,000 nor more than 19,400 inhabitants according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Also:

S. 486. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent Federal decennial census; to provide an expense allowance for the Deputy Sheriffs in all such counties.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

S. 313. To amend Section 210 of Title 13 of the 1940 Code of Alabama, which relates to the appointment, term and removal of registers of circuit courts.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area,

to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

was taken up.

Mr. Cook offered the following amendment to the Bill, S. B. 365, to-wit:

AMENDMENT TO SENATE BILL 365

Add the following as the last sentence of Section 3:

"Provided, however, no such ordinance shall authorize the giving away, selling or serving of any alcoholic beverage in any public place after 2 O'clock A. M. on Sunday."

Add the following as the last sentence of Section 4:

"Provided, however, no such ordinance shall authorize the giving away, selling or serving of any alcoholic beverage in any public place after 2 O'clock A. M. on Sunday."

Delete Section 8 of said bill and renumber the sections following said Section 8 in numerical sequence.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham
Bailes	Hammond	Lybrand	Pierce
Carr	Harris	McLain	Register
Cook	Hawkins	Noonan	Vacca
Dominick	Horne	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Fine	King		

Nays:

—25

—0

And said Bill, S. B. 365, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Jones	O'Bannon	Vacca	
Dominick	King	Owen	Wilder	
Edington	Littleton	Pelham	Wilson	
Fine	Lybrand			—25

Nays: —0

The Bill:

S. 429. Relating to counties having populations not less than 34,000 nor more than 34,500, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Bailes	Dozier	Lybrand	Pierce	
Branyon	Foshee	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 645. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; designating the funds from which the annual salary of the Sheriff shall be payable.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cooper	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	King	Pelham	Wilson	
Fine	Lindsey			—25

Nays: —0

The Bill:

S. 387. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, S. B. 387, to-wit:

AMENDMENT TO S. B. 387

In the title and in Article 1, Section 1.01, strike the figures "45,000," and insert in lieu thereof the figures "33,000,"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Owen	Weaver	
Dozier	Harris	Pelham	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	King			—25

Nays: —0

And said Bill, S. B. 387, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Harris	Malone	Register	
Bailes	Hawkins	Noonan	Shelby	
Carr	Horne	O'Bannon	Vacca	
Clark	Jones	Owen	Weaver	
Cook	King	Pelham	Wilder	
Edington	Lindsey	Pierce	Wilson	
Fine	Lybrand			—25

Nays: —0

The Bill:

H. 872. Relating to Pike County; to authorize the Court of County Commissioners of Pike County to provide a Deputy Tax Assessor, a Deputy Tax Collector, a Deputy Circuit Clerk, a Probate Clerk, and a Secretary for the Inferior Court of Pike County; and to provide for their appointment, duties and compensation; to repeal Act No. 259, Regular Session 1951 as amended; Act No. 258, Regular Session 1951 as amended; Act No. 148, Regular Session 1955 as amended; Act No.

332, Regular Session 1961 as amended and all laws and parts of laws in conflict with the provisions hereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Branyon	Gilmore	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 873. Relating to Pike County: to provide for the payment of an expense allowance to members, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Foshee	Lybrand	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Harris	O'Bannon	Vacca	
Cook	Hawkins	Owen	Wilder	
Cooper	Horne	Pelham	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 677. Relating to Covington County, Alabama, to provide that any regular Circuit Judge of the Circuit Court of Covington County, Alabama or any other Circuit Judge with like authority serving said county may appoint two additional bailiffs to serve the Circuit Court of Covington County, during any session thereof; to prescribe the pay for the service of said bailiffs and to provide for the effective date hereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 678. Relating to Covington County, Alabama and the method of giving notice of the requirement of attendance of Jury service in Covington County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Branyon	Hammond	McLain	Pierce
Clark	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Foshee	King		

—25

Nays:

—0

The Bill:

H. 679. Relating to Covington County, Alabama; to regulate further the excusing of persons from jury service in the Circuit Court of Covington County, Alabama; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register
Branyon	Hammond	McLain	Shelby
Carr	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Foshee	King		

—25

Nays:

—0

The Bill:

H. 579. To repeal Act No. 837, H. 1106, approved September 12, 1969, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day." (Acts of Alabama, Regular Session, 1969, p. 1542).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Carr	Harris	Lybrand	Register
Cook	Hawkins	McLain	Shelby
Dozier	Horne	Malone	Vacca
Edington	Jones	Owen	Weaver
Fine	King		

—25

Nays:

—0

The Bill:

H. 526. Relating to Calhoun County; providing for meetings of and clerical assistance to the board of registrars of Calhoun County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Malone	Register	
Bailes	Gilmore	Noonan	Shelby	
Carr	Givhan	O'Bannon	Vacca	
Clark	Hammond	Owen	Weaver	
Cooper	Jones	Pelham	Wilder	
Edington	King	Pierce	Wilson	
Fine	Lybrand			—25

Nays: —0

The Bill:

H. 527. Relating to the jury commission in all counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census, providing for the number of meeting days of the commission and the compensation of its members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Malone	Register	
Bailes	Hammond	Noonan	Shelby	
Branyon	Harris	O'Bannon	Vacca	
Carr	Hawkins	Owen	Weaver	
Clark	Horne	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	Lybrand			—25

Nays: —0

The Bill:

H. 681. Relating to Covington County, Alabama, relieving the Clerk of the Circuit Court, Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama from subscribing to and filing weekly newspaper published in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon	
Bailes	Foshee	Littleton	Owen	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Noonan	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 682. Relating to Covington County, Alabama; to allow prospective jurors to be excused without the presence of the defendant in the Circuit Court of Covington County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Dozier	King	Owen	
Branyon	Edington	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 893. To provide that certain employees of Etowah County or the Etowah County Board of Education shall not be dismissed from employment or reduced to status as part-time employees except for certain causes; relating to the rights of employees dismissed or reduced to part-time status; establishing the Etowah County Personnel Board, granting the Board certain authority, providing for the compensation and duties of its members, and directing and authorizing the governing body of Etowah County to provide the members of the Board with reasonable and necessary legal counsel.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 329. Relating to the Twelfth Judicial Circuit of Alabama; providing for separation of the Jury by consent in the Circuit Courts of the Counties composing such Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cooper	Givhan
Bailes	Clark	Dozier	Hammond
Branyon	Cook	Gilmore	Harris

Hawkins	Lybrand	Register	Weaver	
Horne	McLain	Shelby	Wilder	
Jones	Malone	Vacca	Wilson	
Littleton	Noonan			—25
<i>Nays:</i>				—0

The Bill:

S. 330. To regulate the compensation of Jurors in the Twelfth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Hammond	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25
<i>Nays:</i>				—0

The Bill:

H. 525. To provide for an expense allowance for the presiding judge of all Judicial Circuits in this State composed of three (3) counties with two (2) circuit judges, and having a total population of not less than 60,000 or more than 70,000 according to the last or any subsequent Federal Decennial Census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Carr	Hammond	Littleton	Pierce	
Clark	Harris	Malone	Register	
Cook	Hawkins	Noonan	Shelby	
Dozier	Horne	O'Bannon	Weaver	
Edington	Jones	Owen	Wilson	
Fine	King			—25
<i>Nays:</i>				—0

The Bill:

S. 473. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled: "To provide that any city of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal consensus shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building

or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, S. B. 473, to-wit:

COMMITTEE AMENDMENT TO S. B. 473

Amend Senate Bill 473 as follows:

Delete the words, "lienholders of record", in the eighth and ninth line from the top of Page 2 and substitute in lieu thereof the words, "mortgagees of record".

Delete the words, "lienholders of record", in the fifth line from the bottom of Page 3 and substitute in lieu thereof the words, "mortgagees of record".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Malone	Register	
Bailes	Hawkins	Noonan	Shelby	
Carr	Jones	O'Bannon	Vacca	
Cook	King	Owen	Weaver	
Dominick	Littleton	Pelham	Wilder	
Fine	Lybrand	Pierce	Wilson	
Gilmore	McLain			—25

Nays:

—0

And said Bill, S. B. 473, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	McLain	Pierce	
Bailes	Hawkins	Malone	Register	
Carr	Horne	Noonan	Shelby	
Cook	Jones	O'Bannon	Vacca	
Dominick	King	Owen	Wilder	
Fine	Littleton	Pelham	Wilson	
Gilmore	Lybrand			—25

Nays:

—0

The Bill:

H. 537. To authorize the county governing body of all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census to provide for the appointment of a County Pardon and Parole Board; to provide for the conditional release of county prisoners; to provide for the return to the County Jail of any prisoner who violates the condition of his release; and repeal all conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Jones	O'Bannon	Vacca	
Dominick	King	Owen	Wilder	
Edington	Littleton	Pelham	Wilson	
Fine	Lybrand			—25

Nays: —0

The Bill:

H. 543. To apply in all counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal decennial census and to authorize the County Board of Health in all such counties to solicit, receive and hold gifts, grants, devises and bequests of money, real estate and any other thing of value and to use County Board of Health funds to match or supplement any such gifts, grants, devises and bequests of money, real estate or any other thing of value to carry out the purpose or purposes for which any such gift, grant, devise or bequest of money, real estate or other thing of value was given or granted; to further authorize said Board to purchase any real or personal property needed to carry out the functions of said Board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	McLain	Pierce	
Bailes	Harris	Malone	Register	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Fine	Littleton	Pelham	Wilson	
Gilmore	Lybrand			—25

Nays: —0

The Bill:

H. 683. To permit persons to make returns of taxable property, whether real or personal, by mail in those counties where Section 80 Title 51, Code of Alabama of 1940, as amended, is now, or hereafter, in effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Carr	Hawkins	Malone	Register	
Cook	Jones	Noonan	Vacca	
Dominick	King	O'Bannon	Wilder	
Edington	Lindsey	Owen	Wilson	
Fine	Littleton			—25

Nays: —0

The Bill:

S. 499. To fix the salary for the Deputy District Attorney in counties having a population of not less than 41,500 nor more than 45,000 according to the most recent federal decennial census.

was taken up.

Mr. Hammond offered the following amendment to the Bill, S. B. 499, to-wit:

AMENDMENT TO S. B. 499

Amend S. B. 499 by deleting from the Title the figure "41,500" and substituting therefor the figure "41,750".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Carr	Hammond	Malone	Register	
Cook	Hawkins	Noonan	Shelby	
Cooper	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

And said Bill, S. B. 499, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Carr	Horne	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Cooper	King	Owen	Wilder	
Dozier	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 504. To authorize the governing body of Tuscaloosa County and the governing body of any municipality in such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles and related facilities, and financing, acquiring, constructing, leasing, enlarging, equipping, improving, maintaining, developing, and operating a public transit or transportation system and related facilities, including offices for any such authority; to authorize the leasing or letting of facilities; to authorize such authority to issue bonds of indebtedness; to provide that such bonds shall be negotiable instruments; to authorize such authority to enter into contracts and

to acquire and dispose of properties; to provide that such authority shall have powers, privileges and rights necessary to carry out the purposes hereof; and to provide for the dissolution of the authority and the disposition of its property.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 512. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journeymen and Hairstylists; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	O'Bannon	
Bailes	Dozier	Jones	Pelham	
Branyon	Edington	King	Pierce	
Carr	Fine	Littleton	Shelby	
Clark	Foshee	McLain	Weaver	
Cook	Gilmore	Malone	Wilder	
Cooper	Givhan			—25

Nays: —0

The Bill:

S. 502. Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pierce
Branyon	Foshee	Lybrand	Register
Cook	Gilmore	Malone	Vacca
Cooper	Givhan	Noonan	Weaver
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 515. To amend the title and Sections 1 and 2 of Act Number 481, H. 872, Regular Session 1961, as amended, pertaining to providing recreational facilities and services for cities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Dozier	Hawkins	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 519. To repeal Act No. 356, H. 627, approved August 30, 1963, entitled, "An Act relating to powers of cities having populations of not less than 200,000 and not more than 300,000, according to the last or any subsequent Federal Decennial Census; authorizing the governing bodies of such cities to adopt ordinances, which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act, "(Acts of Alabama 1963, vol. 2, p. 855)"; and to repeal the two Acts amending the above Act viz. Act No. 613, H. 1145, approved August 30, 1965, (Acts of Alabama, Regular Session 1965, vol. 2, p. 1127), and Act No. 83, H. 140, approved September 30, 1965, (Acts of Alabama, 2nd Special Session 1965, vol. 1, p. 113).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Foshee	King	Register
Branyon	Givhan	Lindsey	Vacca
Carr	Hammond	Lybrand	Weaver
Clark	Harris	McLain	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

S. 520. Relating to the powers of cities having populations of not less than 175,000 nor more than 275,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Gilmore	King	Pelham	
Branyon	Givhan	Lindsey	Register	
Clark	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 521. To amend the Title and Section 1 of Act No. 126, H. 158, Second Special Session 1963 (Acts 1963, p. 314), which provides for advisory referendum elections in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Register	
Bailes	Gilmore	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	Pelham	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 522. To amend the Title and Section 1 of Act No. 435, H. 402, Special Session 1966 (Acts 1966, p. 580), which provide for a retirement pension for certain elected public officials in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Horne	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 523. To amend the Title and Section 1 of Act No. 749, S. 570, Regular Session 1967 (Acts 1967, p. 1603), which authorizes and provides for the payment of supplemental retirement benefits to certain municipal employees in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Vacca	
Clark	Gilmore	Littleton	Weaver	
Cook	Harris	Lybrand	Wilder	
Cooper	Hawkins	McLain	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

S. 524. To amend the Title and Section 1 of Act No. 613, H. 1179, Regular Session, 1961 (Acts 1961, p. 729), which authorizes certain cities classified on a population basis to make payments to widows and children of former deceased employees of such cities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Pelham	
Branyon	Givhan	Lindsey	Vacca	
Carr	Hammond	Littleton	Weaver	
Cook	Harris	Lybrand	Wilder	
Cooper	Hawkins	McLain	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

S. 525. To amend the Title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and

imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Pelham	
Branyon	Givhan	Lindsey	Vacca	
Carr	Hammond	Littleton	Weaver	
Clark	Harris	Lybrand	Wilder	
Cook	Hawkins	McLain	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 526. To amend the Title and Section 1 of Act No. 716, H. 1012, Regular Session, 1967 (Acts 1967, p. 1553), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Pelham	
Carr	Givhan	Lindsey	Shelby	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 527. To amend the Title and Section 1 of Act No. 502, S. 445, Regular Session 1963 (Acts 1963, p. 1084), which provides for the reduction of the corporate limits of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Pelham	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

S. 528. To amend the Title and Section 1 of Act No. 823, S. 138, Regular Session 1965 (Acts 1965, p. 1539), which further provide for the form of government of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper	Harris			—25

Nays:

—0

The Bill:

S. 529. To amend the Title and Section 1 of Act No. 39, H. 67, Special Session 1962 (Acts 1962, p. 50), which provides for the appointment of an administrative assistant in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 530. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 175,000 nor more than 275,000 population according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dominick	Foshee
Bailes	Cook	Edington	Gilmore
Branyon	Cooper	Fine	Givhan

Hammond	Lybrand	Pelham	Weaver	
Horne	Malone	Register	Wilder	
Jones	Noonan	Vacca	Wilson	
King	Owen			—25
<i>Nays:</i>				—0

The Bill:

S. 531. To amend the Title and Section 1 of Act No. 682, H. 937, Regular Session, 1967 (Acts 1967, p. 1508), which provides for a retirement pension for certain elected public officials of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Givhan	Lindsey	Register	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Horne			—25
<i>Nays:</i>				—0

The Bill:

S. 532. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Dominick	Horne	Malone	Vacca	
Edington	Jones	Noonan	Weaver	
Fine	King			—25
<i>Nays:</i>				—0

The Bill:

S. 533. To amend the Title and Section 1 of Act No. 458, H. 501, Regular Session, 1967 (Acts 1967, p. 1150), which provides that certain cities classified on a population basis shall be empowered to offer rewards for apprehension of criminals.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Cook	Horne	Noonan	Vacca	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

S. 534. To amend the Title and Section 1 of Act No. 227, H. 137, Special Session 1964 (Acts 1964, p. 313), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Cook	Horne	Noonan	Vacca	
Cooper	Jones	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 535. To amend the Title and Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37) which provides for the payment of benefits to employees of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 536. To amend the Title and Section 1 of Act No. 255, H. 269, Special Session 1964 (Acts 1964, p. 351), as amended by Act No. 379, H. 427, Special Session 1966 (Acts 1966, p. 523), which provides for

the compensation of the *ex officio* judge of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Clark	Hammond	McLain	Weaver	
Cook	Horne	Noonan	Wilder	
Cooper	Jones	Owen	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 537. To amend the Title and Section 1 of Act No. 33, H. 48, Special Session 1970 (Acts 1970, p. 2655), which authorizes certain cities classified on a population basis to make appropriations to any State institution of higher learning.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	Owen	Wilder	
Cooper	Jones	Pelham	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 538. To amend the Title, Section 1, and Section 2 of Act No. 666, H. 916, Regular Session 1967 (Acts 1967, p. 1487), which provides for the administration of property for parking facilities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 539. To amend the title and Section 1 of Act No. 194, S. 99; Special Session 1969 (Acts 1969, p. 257), which Act provides for a public transit system in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cooper	Jones	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 550. Providing that in all counties having a population of not less than 25,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Clark	Givhan	Malone	Register	
Dominick	Hammond	Noonan	Shelby	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 551. Relating to counties having not less than 16,350 nor more than 16,650 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Carr	Gilmore	McLain	Pierce	
Clark	Givhan	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

S. 559. Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Hammond	Lybrand	Vacca	
Clark	Hawkins	McLain	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 560. To regulate the compensation of the members of the county board of education in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Bailes	Gilmore	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 561. To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 562. Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Clark	Foshee	Lindsey	Register	
Cook	Gilmore	Noonan	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 563. Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Register	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 564. Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Hammond	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 565. Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of Education in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Cook	Gilmore	Littleton	Weaver	
Cooper	Hammond	Lybrand	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

S. 566. Further regulating the meetings of the county board of registrars in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Bailes	Gilmore	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	Pelham	Wilder	
Edington	King	Pierce	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

S. 567. Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 568. Authorizing the appointment of juvenile court officers in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Weaver	
Clark	Hammond	Noonan	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 569. Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said court, to be paid into the general fund of such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Hammond	Lybrand	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 570. Relating to DeKalb County; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 571. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fee for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

S. 572. To apply to DeKalb County; providing an expense allowance payable from the county treasury for the use of the coroner.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Hawkins	Noonan	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 573. To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Hammond	Malone	Register	
Cook	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 574. Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor or deputy district attorney in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Hawkins	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 575. To apply to DeKalb County; providing an expense allowance for judge of the county court in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Hammond	Malone	Register	
Carr	Horne	Noonan	Shelby	
Clark	Jones	O'Bannon	Weaver	
Cooper	King	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 576. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Lybrand	Pierce	
Bailes	Hawkins	McLain	Register	
Branyon	Horne	Malone	Vacca	
Carr	Jones	Noonan	Weaver	
Cooper	King	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Gilmore	Littleton			—25

Nays:

—0

The Bill:

S. 577. Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Lybrand	Register	
Bailes	Hawkins	McLain	Shelby	
Branyon	Horne	Malone	Vacca	
Cook	Jones	O'Bannon	Weaver	
Cooper	King	Owen	Wilder	
Edington	Lindsey	Pierce	Wilson	
Gilmore	Littleton			—25
Nays:				—0

The Bill:

S. 386. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 45,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, S. B. 386, to-wit:

AMENDMENT TO S. B. 386

In the title and in Article I, Section 1.01, strike the figures "45,000," and insert in lieu thereof the figures: 33,000,

In Article I, Section 1.03, add at the end and as a part of such section the following: It is specifically provided, however, that no election shall be held pursuant to this Act until after May 1, 1972. If a petition for an election is filed prior to such date the election shall be ordered held on June 1, 1972, or on such other date as hereinabove authorized, whichever comes last.

Amend Article I, Section 1.07 by striking out the caption and the first four sentences of the section and substitute the following: Election of first council and first mayor; term of office.—Immediately upon the adoption of such form of government, the probate judge of the county with whom the petition was filed shall call an election to be held under and to be governed by this Act not less than ninety days nor more than one hundred twenty days after the date of such call, the expense thereof to be paid by the city, for the election at large by the qualified voters of such city of five councilmen, one from each ward in the city, and a mayor. The candidate for the council from each ward receiving a majority of the votes cast in said election shall be elected to the council; and in the event that a candidate from one or more wards should fail to receive such a majority, then and in that event another election shall be held upon the same day of the week four weeks thereafter. Such election shall be called and held in the same mode and manner and under the same rules and regulations as the first election. In the second election the two candidates from each ward for which no councilman was elected in the first election, receiving the highest and next highest number of votes shall be the only candidates, and the candidate from the ward, or each of such wards, receiving the highest number of votes cast in the second election shall be elected; so that in the first and second election there shall be elected five councilmen, one from each ward. Before calling such election the probate judge shall cause the city to be divided into five wards, containing as nearly equal number of inhabitants as possible.

In Article II, between Sections 2.03 and 3.01 insert the following as a separate paragraph:

Article III. The Council

In Article II, Section 3.01, strike the caption and the first two sentences and substitute therefor the following:

Number, election, term.—The council shall have five members elected from the five wards, respectively, by the voters of the city at large to places thereon numbered from one to five, both inclusive, to correspond to the number of the ward each councilman respectively represents.

In Article II, Section 3.02, immediately after the third blank in such section insert the following words and figures: in Ward No.

In Article II, Section 3.04, strike out the first comma in the first sentence in such section and insert in lieu thereof the following: and of the ward they respectively represent,

In Article IV, Section 4.01, in the second sentence in such section strike out the word "nine," and insert in lieu thereof the word: five

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Carr	Gilmore	Lybrand	Pierce	
Clark	Givhan	Malone	Register	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, S. B. 386, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 578. Relating to DeKalb County; to provide for the payment of per diem allowance to members of boards of registrars in DeKalb County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Gilmore	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 635. To amend the title and Section 1 of Act No. 594, S. 716, Regular Session 1969 (Acts 1969, p. 1081) which fixes the per diem pay for members of the county board of equalization of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Dominick	Hammond	McLain	Shelby
Dozier	Horne	O'Bannon	Vacca
Edington	Jones	Owen	Weaver
Fine	King		

—25

Nays:

—0

The Bill:

S. 636. To amend the title and Section 1 of Act No. 160, H. 54, Special Session 1961 (Acts 1961, p. 2108) which authorizes the county governing body to fix the compensation of deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham
Branyon	Givhan	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Wilder
Dozier	Jones	Noonan	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 637. To amend the title and Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Clark	Givhan	Malone	Register
Dominick	Hawkins	Noonan	Shelby
Dozier	Horne	O'Bannon	Vacca
Edington	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 638. To amend the title and Sections 1 and 3 of Act No. 1092, S. 907, Regular Session 1969 (Acts 1969, p. 2077) which provides for the

election and qualifications of members of the county governing body in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Branyon	Gilmore	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Littleton			—25

Nays: —0

The Bill:

S. 639. To amend the title and Section 1 of Act No. 1006, S. 832, Regular Session 1969 (Acts 1969, p. 1880) which regulates the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Branyon	Gilmore	King	Pierce	
Clark	Givhan	Lindsey	Register	
Cook	Hammond	Noonan	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 640. To amend the title and Section 1 of Act No. 190, S. 409, Regular Session 1969 (Acts 1969, p. 504) which increases the salary of the deputy solicitor of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	Noonan	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Edington	Hawkins	Owen	Weaver	
Fine	King			—25

Nays: —0

The Bill:

S. 641. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Branyon	Hammond	Littleton	Register	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Weaver	
Dominick	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 642. To amend the title and Section 1 of Act No. 13, H. 25, Third Special Session 1965 (Acts 1965, p. 217) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Dozier	Horne	Pelham	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	Lindsey			—25

Nays: —0

The Bill:

S. 643. To amend the title and Section 1 of Act No. 107, H. 381, Regular Session 1963 (Acts 1963, p. 488), which increases the pay of all employees of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Givhan
Branyon	Cooper	Edington	Hammond
Clark	Dominick	Gilmore	Horne

Jones	Malone	Pelham	Weaver	
King	Noonan	Pierce	Wilder	
Lindsey	O'Bannon	Register	Wilson	
Littleton	Owen			—25
<i>Nays:</i>				—0

The Bill:

S. 644. To amend the title and Section 1 of Act No. 95, H. 276, Regular Session 1963 (Acts 1963, p. 481), which regulates the compensation of the county superintendents of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	O'Bannon	
Branyon	Gilmore	Littleton	Owen	
Clark	Givhan	Lybrand	Pelham	
Cook	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Fine	King			—25
<i>Nays:</i>				—0

The Bill:

S. 645. To amend the title and Section 1 of Act No. 67, H. 33, Special Session 1964 (Acts 1964, p. 88) which relates to closing the office of officials in the courthouse in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan	
Branyon	Foshee	Lindsey	O'Bannon	
Clark	Gilmore	Littleton	Pierce	
Cook	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Weaver	
Dozier	Hawkins			—25
<i>Nays:</i>				—0

The Bill:

S. 646. To amend the title and Section 1 of Act No. 68, H. 34, Special Session 1964 (Acts 1964, p. 88) which provides further for the compensation of the coroner in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce
Branyon	Fine	King	Register
Clark	Foshee	Lybrand	Shelby
Cook	Gilmore	Noonan	Vacca
Cooper	Harris	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 647. To amend the title and Section 1 of Act No. 191, S. 71, Special Session 1969 (Acts 1969, p. 254) which regulates the compensation and number of meetings of members of the boards of education of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Branyon	Gilmore	McLain	Pierce
Clark	Givhan	Malone	Register
Cook	Hammond	Noonan	Weaver
Dozier	Harris	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Cooper	Hammond	Malone	Shelby
Dominick	Harris	Noonan	Wilder
Dozier	Hawkins	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

S. 682. For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Malone	Register
Bailes	Hammond	Noonan	Shelby
Clark	Harris	O'Bannon	Vacca
Cook	Jones	Owen	Weaver
Cooper	Littleton	Pelham	Wilder
Dominick	Lybrand	Pierce	Wilson
Gilmore	McLain		

—25

Nays:

—0

The Bill:

H. 410. Proposing an amendment to the Constitution of Alabama relating to Hale County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham
Branyon	Hammond	McLain	Pierce
Cooper	Harris	Malone	Register
Dominick	Hawkins	Noonan	Shelby
Dozier	Horne	O'Bannon	Weaver
Edington	Jones	Owen	Wilder
Fine	King		

—25

Nays:

—0

The Bill:

H. 822. To amend further Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by providing for an additional legal stenographer for such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Carr	Hammond	Littleton	Pierce
Clark	Harris	Lybrand	Vacca
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Noonan	Wilder
Edington	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

H. 853. To provide for the appointment of the Clerk of the County Commission of Jackson County and other clerical assistance deemed

necessary by the Chairman of the County Commission; to provide for the fixing of the compensation of such clerk and clerical assistance by the County Commission; and to repeal all laws, general, local or special, in conflict with the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Bailes	Dozier	King	Pierce	
Branyon	Edington	Lindsey	Register	
Carr	Fine	Littleton	Weaver	
Clark	Foshee	O'Bannon	Wilder	
Cook	Gilmore	Owen	Wilson	
Cooper	Hammond			—25

Nays:

—0

The Bill:

H. 854. Relating to counties having populations of not less than 33,100 nor more than 40,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Hawkins	Owen	Weaver	
Dozier	Horne	Pelham	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 997. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Hammond	O'Bannon	Vacca	
Clark	Hawkins	Owen	Weaver	
Cook	Horne	Pelham	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 998. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Hammond	Malone	Shelby	
Carr	Jones	O'Bannon	Vacca	
Dozier	King	Owen	Weaver	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays: —0

The Bill:

H. 1002. To alter, rearrange and extend the boundary lines of the Town of Hollywood, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1002, to-wit:

AMENDMENT TO HOUSE BILL 1002

Amend Section 3 by striking therefrom the figures "1970" where they appear and insert in lieu thereof "1971."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Hammond	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Vacca	
Dozier	King	Owen	Weaver	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays: —0

And said Bill, H. B. 1002, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Hammond	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 1003. To alter, rearrange, extend and enlarge the boundary lines and Corporate limits of the Town of Dutton, Alabama, in Jackson County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Hammond	Noonan	Shelby	
Carr	Hawkins	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 530. To amend Section 210 of Title 13 of the 1940 Code of Alabama which relates to the appointment, term and removal of registers of circuit courts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Branyon	Hawkins	Malone	Register	
Carr	Jones	Noonan	Vacca	
Cook	King	O'Bannon	Wilder	
Dominick	Lindsey	Owen	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROBATE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Branyon	Hawkins	Malone	Register	
Carr	Jones	Noonan	Vacca	
Cook	King	O'Bannon	Wilder	
Dominick	Lindsey	Owen	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 505. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 160,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Cooper	Givhan	Lybrand	Shelby	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 648. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Malone	Shelby
Carr	Hawkins	Noonan	Weaver
Clark	Horne	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 731. Relating to the provisions of clerks, equipment and supplies for the Probate Judge, Sheriff, Tax Assessor and Tax Collector in counties having a population of not less than 39,500 nor more than 41,750 according to the last federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	McLain	Pierce
Branyon	Foshee	Malone	Register
Carr	Gilmore	Noonan	Vacca
Cook	Givhan	O'Bannon	Wilder
Cooper	Harris	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 733. To provide that certain cities classified according to population, may abate or reduce assessments made for public improvements.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Weaver
Cooper	Givhan	Noonan	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 737. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the

microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Register
Clark	Harris	Noonan	Shelby
Cook	Jones	O'Bannon	Vacca
Cooper	King	Owen	Wilder
Edgington	Lindsey	Pelham	Wilson
Fine	Littleton		

—25

Nays:

—0

The Bill:

S. 738. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Pierce
Bailes	Harris	Malone	Register
Branyon	Horne	Noonan	Shelby
Carr	Jones	O'Bannon	Vacca
Cook	King	Owen	Weaver
Dozier	Lindsey	Pelham	Wilder
Fine	Littleton		

—25

Nays:

—0

The Bill:

S. 739. To amend the Title and Section 1 of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edgington	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

S. 740. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Jones	Noonan	Vacca	
Dozier	King	Owen	Weaver	
Edington	Lindsey	Pelham	Wilder	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 741. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Harris	Noonan	Shelby	
Carr	Jones	O'Bannon	Vacca	
Cooper	King	Owen	Weaver	
Dominick	Lindsey	Pelham	Wilder	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 747. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Clark	Foshee	Lindsey	Register	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 748. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Owen	Weaver	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 749. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; providing for the distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Gilmore	Noonan	Vacca	
Clark	Hammond	O'Bannon	Weaver	
Cook	Harris	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 750. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the county courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 751. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 752. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 753. To provide an assistant coroner for counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 756. To fix the compensation of the sheriffs of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 757. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Shelby	
Cooper	Givhan	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 758. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 759. To apply in all those counties in Alabama having a population of not less than 110,000 and not more than 150,000 inhabitants, according to the latest or any subsequent Federal Decennial Census, and to provide for an appeal to the Circuit Court of such counties by any Attorney at Law convicted in any Recorder's Court, or other Municipal Court, of contempt of such Court, and to provide that no appeal bond in such cases shall be in an amount in excess of \$300.00 and to provide for the approval of any such appeal bond by any Circuit Judge, Probate Judge, or Justice of the Peace in any such county; and to provide for the suspension of any punishment meted out by any such Recorder, or other Municipal Judge, pending the outcome of such appeal and to provide for a trial by jury of such contempt charge, when any such appeal is made, and to repeal all laws or parts of laws in conflict with this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Littleton	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 760. Relating to counties having populations of not less than 110,000 nor more than 150,000, providing for meetings of the board of registrars in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Foshee	King	Pierce	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Hammond	Lybrand	Vacca	
Clark	Harris	McLain	Wilder	
Cook	Hawkins	Noonan	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

S. 761. Relating to all counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 762. Relating to counties having populations of not less than 110,000 nor more than 150,000; regulating the appointment of special constables in such counties in certain cases; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	McLain	Pierce	
Cooper	Givhan	Malone	Shelby	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 763. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing for regulation of persons engaged in the business of selling money orders and other like instruments in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Cook	Gilmore	McLain	Pierce	
Cooper	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 764. To apply in all those counties in Alabama having not less than 110,000 population and not more than 150,000 population according to the latest or any subsequent Federal Decennial Census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 765. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for establishment, operation, and financing of educational survey committees in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 766. To apply in all counties of this state having a population of not less than 110,000 nor more than 150,000 according to the 1970 or any subsequent decennial census and providing for the bailiff to serve the Inferior Courts of such counties and to provide for the selection of such bailiff, to provide for the payment of the salary of such bailiff, and to provide that while such bailiff is not busy with such Inferior Court for his duties to be to aid the sheriff in serving civil papers in all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Carr	Harris	Malone	Weaver	
Clark	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 767. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Branyon	Fine	King	Owen	
Clark	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Shelby	
Cooper	Hammond	McLain	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

S. 768. To regulate further membership on free public library boards in all counties in this State having populations of not less than 110,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for increasing the size of such boards and prescribing the manner of appointment of members thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 769. Relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the civil service boards of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Hammond	Lybrand	Shelby	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 770. Relating to municipalities having a population of not less than 60,000 nor more than 80,000, according to the 1970 or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dozier	Foshee
Bailes	Cooper	Edington	Gilmore
Branyon	Dominick	Fine	Givhan

Jones	Malone	Pelham	Weaver	
King	Noonan	Pierce	Wilder	
Lindsey	O'Bannon	Shelby	Wilson	
McLain	Owen			—25
Nays:				—0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

On motion of Mr. Cooper, further consideration of the Bill, H. B. 138, was postponed until the next Legislative Day as Unfinished Business.

The Bill:

S. 414. To provide a Uniform Alabama Controlled Substances Act for preventing drug abuse and drug dependence, to standardize all laws in this state to be in conformity with the new Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, and to repeal existing state statutes in conflict.

was taken up.

The Standing Committee on Health reported the following amendment to the Bill, S. B. 414, to-wit:

AMENDMENT TO SENATE BILL 414

Amend Section 204, subsection (c) (21) of Senate Bill 414 by deleting "Phoclodine;" and substituting in lieu thereof "Pholcodine;".

Also amend Section 204, subsection (d) (7) of Senate Bill 414 by deleting "4-methyl-2, 5-dimethoxylamphetamine;" and substituting in lieu thereof "4-methyl-2, 5-dimethoxyamphetamine;".

Also amend Subsection (d) of Section 302 to read as follows:

(d) The Certifying Boards may waive by rule the requirement for registration of certain manufacturers, distributors, or dispensers if they find it consistent with the public health and safety.

Also amend Subsection (f) of Section 302 as follows:

(f) The Certifying Boards may inspect the establishment of a registrant or applicant for registration in accordance with the rules and regulations promulgated by them.

Also Subsection (4) should be added to Section 304 which provides as follows:

(4) has violated the provisions of Act 205, 1966 Special Session of Alabama Legislature (Title 46 §257 (al-a32) Code of Alabama 1940 (Recomp. 1958))

Also Subsection (b) of Section 308 should be amended to read as follows:

(d) Each registered pharmacy shall maintain the inventories and records of controlled substances as follows:

(1) Inventories and records of all controlled substances listed in schedules I and II shall be maintained separately from all other records of the pharmacy, and prescriptions for such substances shall be maintained in a separate prescription file; and (2) Inventories and records of controlled substances listed in schedule III, IV, and V shall be maintained either separately from all other records of the pharmacy or in such form that the information required is readily retrievable from ordinary business records of the pharmacy, and prescriptions for such substances shall be maintained either in separate prescription file for controlled substances listed in schedules III, IV, and V only or in such form that they are readily retrievable from the other prescription records of the pharmacy. Prescriptions will be deemed readily retrievable if, at the time they are initially filled, the face of the prescription is stamped in red ink in the lower right corner with the letter "C" no less than 1-inch high and filed either in the prescription file for controlled substances listed in schedules I and II or in the usual consecutively numbered prescription file for non-controlled substances.

Also Subsection a (3) of Section 402 should be amended to read as follows:

to refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this act, provided however that upon the first conviction of a violator under this provisions said violator shall be guilty of a misdemeanor and shall be assessed a penalty of \$1,000.00. Subsequent convictions subject the violator to the penalty provision set forth in subsection (b) of this section.

Also amend Subsection (a) of Section 501 by inserting after "The" in the second and third sentences thereof the following: "agents and officers of the Department of Public Safety, the".

Also amend the first sentence of Section 502 by inserting "and the agents and officers of the Department of Public Safety," after the comma following "officers" where it appears therein.

Also amend Section 506 by adding a new sentence at the end thereof as follows:

"The State Board of Health is authorized to make available to the Drivers License Division of the Alabama Department of Public Safety information reported under this section; provided however, such information may only be used in the administration of the laws of this state relating to the issuance, suspension, and revocation of drivers' licenses."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	King	Owen
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Shelby
Clark	Gilmore	Lybrand	Weaver
Cook	Givhan	Malone	Wilder
Cooper	Hawkins	Noonan	

—26

Nays:

—0

And said Bill, S. B. 414, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan
Bailes	Fine	King	O'Bannon
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dozier	Horne		

—29

Nays:

—0

The Bill:

S. 202. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

was taken up.

Mr. O'Bannon offered the following substitute for the Bill, S. B. 202, to-wit:

SUBSTITUTE FOR S. B. 202

A BILL TO BE ENTITLED AN ACT

REQUIRING THE REGISTRATION AND LICENSING OF BARBERS AND BARBER APPRENTICES, AND BARBER COLLEGES, CREATING FOR THE ADMINISTRATION OF THIS ACT A STATE BOARD OF BARBER EXAMINERS, AND DEFINING VIOLATION OF THIS ACT AND PRESCRIBING PENALTIES THEREFOR.

Be It Enacted by the Legislature of Alabama:

Section 1. "THE PRACTICE OF BARBERING" as used in this act is hereby defined to mean any one or combination of the following practices, when done upon the human male body above the seventh cervical vertebra for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, directly or indirectly or without payment for the public generally:

- (1) Shaving or trimming the beard or trimming the hair;
- (2) Giving facial and scalp massages by applying oils, creams, lotion or other cosmetic material, either by hand or mechanical appliances;
- (3) Singeing, shampooing or dying the hair or applying hair tonic; and
- (4) Applying cosmetic preparations, antiseptics, powder, oils, clays or lotions.

Section 2. No person shall engage in the practice of barbering without a certificate of registration as a registered barber, issued by the Board of Barber Examiners.

No person shall serve or attempt to serve as an apprentice under a registered barber without a certificate of registration as a registered apprentice, issued by the Board of Barber Examiners.

No person shall permit any person in his employ or under his supervision or control to practice as a barber or as an apprentice unless the latter person has a certificate of registration as a registered barber or apprentice, issued by the Board of Barber Examiners.

No person shall operate a barber shop unless it is, at all times under the direct supervision and management of a registered barber who is engaged in barbering full time in the same shop.

No registered apprentice may independently practice barbering, but he may as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber, who is engaged in barbering full time in the same shop. No more than one apprentice shall be employed for such registered barber in any one shop.

Students in certified barber colleges may perform acts including the practice of barbering, but only as clinical training and only on persons who have consented thereto after they have been specifically advised in advance that the student is not a registered barber or apprentice, but only a student in training.

The examination of applicants for a license to practice a classified profession as designated under this Act shall be conducted under the rules prescribed by the said Board and shall include both practical demonstrations, written and oral tests in reference to the practices for which a license is applied and such related studies or subjects as the Board may determine necessary for the proper and efficient performance of such practices.

Section 3. Any person who can establish within six (6) months after the passage of this Act that he is a barber or an apprentice as defined under this Act and can establish reasonable proof that he is practicing barbering in a barber shop under sanitary conditions will be given a certificate to practice barbering or apprentice certificate without any examination upon paying the required fees as prescribed by this Act. This Section will not be construed to mean anyone except the barbers now practicing in the State of Alabama and instructors in barber colleges under the State Vocational Schools.

The following persons are specifically exempt from the provisions of this Act while in the proper discharge of their professional duties:

- (1) Persons authorized by law to practice medicine or surgery;
- (2) Commissioned medical or surgical officers of the armed forces of the United States;
- (3) Registered nurses; and
- (4) Persons authorized by law to practice cosmetic therapy or beauty culture.

All instructors operating under the State Vocational Schools at the time of the passage of this Act shall be exempt from qualifying fees. The instructors shall receive an instructor's certificate by paying the annual renewal fee as this Act prescribes. All future instructors will be subject to all provisions of this Act relating to instructors or assistant instructors.

All State operated barber colleges shall be exempt from fees, but shall be subject to the inspection and sanitation requirements, the overall requirements specified by this Act and rules set forth by the Board of Barber Examiners relating to barber colleges.

Section 4. No person shall act as an instructor or assistant instructor in a barber college and no barber college or owner or operator thereof shall hire or permit any person to act as an instructor or an assistant instructor at the barber college unless he has a current and valid certificate of registration as an instructor or assistant instructor, issued by the Board of Barber Examiners.

The Board shall issue a certificate of registration as an instructor in a barber college to a person who complies with all of the following:

(1) He files an application with the Board in such form as it may prescribe, accompanied by the required fee.

(2) He is of good moral character and temperate habits.

(3) He holds a diploma evidencing successful completion of high school, or has the equivalent education as determined by an examination conducted by the Board and approved by the Vocational Educational Division of the Department of Education.

(4) He has held a valid certificate of registration as a barber in Alabama and has practiced barbering in Alabama for at least the last three years before issuance of the instructor's certificate.

(5) He has graduated from a barber college in a course embracing all the theory and scientific manipulation taught in barber schools.

(6) He satisfactorily passes an examination conducted by the Board to determine his fitness to be an instructor.

Assistant instructors must comply with each of the above requirements in order to obtain a certificate of registration as an assistant instructor except that they need have held a barber's certificate and practiced barbering in Alabama for only 18 months prior to the issuance of the assistant instructor's certificate of registration.

Section 5. No person shall be admitted to examination or receive a license to practice barbering under this Act, except as otherwise provided in this Act, unless such person shall possess the following qualifications:

(1) He shall pay the original licensing fee as hereinafter provided for;

(2) He is at least 18 years of age;

(3) He is of good moral character and temperate habits;

(4) He has practiced as a registered apprentice in Alabama for not less than eighteen (18) months under the immediate supervision of a registered barber and

(5) He passes satisfactorily an examination conducted by the Board to determine his fitness to practice barbering. Any applicant for such a certificate of registration who fails to satisfactorily pass an examination conducted by the Board shall have the right to apply again for another examination after a period of six (6) months and he may continue to apply every six (6) thereafter until he has passed such examination, provided he has practiced as an apprentice during said time.

No person shall be admitted to examination or receive a license as an apprentice under this Act, except as otherwise provided for in this Act, unless such person shall possess the following qualifications:

(1) He shall pay the original licensing fee as hereinafter provided for;

(2) He is at least (16) years of age;

(3) He is of good moral character and temperate habits;

(4) He has graduated from a barber college or school of barbering approved by the Board and:

(5) He passes satisfactorily an examination conducted by the Board to determine his fitness to practice as a registered apprentice.

Section 6. As used in this Act, "BARBER COLLEGE" includes a school of barbering, college of barbering, barber school, and any other place or institution for the instruction or training of persons in the practice of barbering.

No person shall operate a barber college unless he holds a certificate of registration in good standing therefore issued by the Board and unless such certificate is displayed at all times in a conspicuous place on the premises.

The Board shall issue a certificate of registration for each college which complies with this Act and the regulations of the Board.

An applicant for a certificate of registration to operate a barber college shall file an application with the Board in such form as the Board may prescribe, accompanied by the fee required by this Act. Upon receipt of the application, the Board shall require the applicant, if an individual, or if the applicant is a firm partnership or corporation, a partner or officer thereof, to appear personally before the Board and submit information, in such form as the board may be regulation prescribe, showing:

(1) The location of the proposed college and its physical facilities and equipment.

(2) The proposed maximum number of students to be trained at one time and the number of instructors to be provided.

(3) The nature and terms of the applicant's right of possession of the proposed premises, whether by lease, ownership or otherwise.

(4) The financial ability of the applicant to operate the college in accordance with the requirements of this Act and the regulations of the Board; and

(5) Such other information as the Board considers necessary.

Prior to the issuance of the certificate, the Board or its representative shall inspect the college and shall determine that it complies with this Act and the regulations of the Board. Before making such inspection, the Board may require the applicant to furnish such evidence as is necessary to show compliance with any local laws governing the operation of barber colleges in the particular locality in which the college is to be located.

Section 7. For the purposes of the Act and the regulations of the Board, each separate location at which the practice of barbering or any part thereof is taught shall be considered to be, a separate certificate shall be required for each. However, facilities at which the practice

of barbering or any part thereof is taught which are operated or maintained by a college in the same central area as the main establishment of the college shall not be deemed for the purposes of this Act, to be a separate college. No such facility shall be operated or maintained by a college until and unless each has been inspected and approved by the Board in the same manner as is required before a certificate to operate a college may be issued, the fee prescribed by this Act paid and a certificate to operate and maintain the particular facility is issued by the Board.

In considering whether the establishment of a new barber college in a particular area will be detrimental to the public welfare, the Board shall consider the need for barber college facilities or additional barber college facilities, as the case may be, in the community where the proposed barber college is to be located, giving particular consideration to:

- (1) The economic character of the community.
- (2) The adequacy of existing barber shops and barber colleges in that community.
- (3) The ability of the community to support the proposed barber college.
- (4) The character of adjacent communities and the extent to which the establishment of the proposed barber college would draw patrons from such adjacent communities.
- (5) The social and economic effect of the establishment of a barber college on the community where it is proposed to be located and on the adjacent communities.
- (6) The expressed opinion of the registered barbers in the area of the proposed college, as evidenced in person or by written petition to the Board.

No barber college shall be approved by the Board unless it requires as a prerequisite to graduation a course or instruction of not less than 1500 hours, completed within 12 months, with no more than 8 hours to any working day, subject to the Board's authority to determine by regulation the days and hours of school within these limits.

The course of instruction shall include the following subjects: Scientific fundamentals of barbering, hygiene, bacteriology; history of the head, face and neck; elementary chemistry as it relates to sterilization and asepsis; diseases of the skin, hair glands; and the massaging and manipulating of the muscles of the body above the seventh cervical vertebra; haircutting and shaving; and the arranging, dressing, coloring, bleaching and tinting of the hair.

Section 8. The Board shall have the power to refuse, revoke and suspend licenses and certificates strictly in accordance with the provisions of this Act, upon proof of violation of any sections of the Act. The members of the Board shall have the power to administer oaths and shall have the power to issue subpoenas to require the attendance of witnesses and the production of books, records and papers as it may desire at any hearing on any matter which the Board has the authority to investigate, and for that purpose may require the secretary of the Board to issue a subpoena duces tecum to compel the production of any books, records or papers, directed to the sheriff of the county where such witness resides or may be found, which subpoenas and subpoenas duces tecum shall be served and returned in the same manner as a subpoena in a criminal case is served and returned. The fees and mileage of the sheriff and witnesses shall be the same as al-

lowed in the Circuit Court of this State. Such fees and mileage shall be paid from the fund of the Board on deposit in the Treasury for the use of the Board in the same manner as other expenses of the Board are paid. The Board must subpoena all witnesses from whom subpoena is requested by the applicant, licensee or holder of a certificate, provided, however, that such request shall be made in writing to the secretary of the Board at least 10 days prior to the date set for the hearing. All fees and mileage of the sheriff and witnesses subpoenaed at the request of such applicant, licensee or holder of a certificate shall be paid by the applicant, licensee or holder of a certificate, and execution may issue therefor in civil cases in the Circuit Courts of this State.

The Board may refuse to grant or may revoke or suspend any certificate or license issued in any case where the holder of or applicant for such license or certificate shall have been guilty of fraud or dishonest conduct in the taking of the examination herein provided for, or shall be guilty of grossly unprofessional or dishonest conduct, or shall be addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or professions set forth in this Act, or who shall advertise by means of knowingly false or deceptive statements, or who shall fail to display the license or certificate issued to him as provided for in this Act. Provided, however, the Board shall not on any of the grounds in this section stated, refuse to issue or renew any license or certificate nor shall it revoke or suspend any such license or certificate already issued, except after a hearing, of which the applicant or licensee or the holder of the certificate affected shall be given at least twenty (20) days notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in case of a suspension or revocation, the offense or offenses of which the licensee or the holder of the certificate or registration is charge. Such notice may be served by mailing a copy thereof by registered mail to the last known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the Board may prescribe, provided, however, that such hearing must be held in the county in which such applicant, licensee or holder of a certificate has his or her place of business.

Findings made by the Board are deemed conclusive, unless within thirty (30) days after notice of the decision of the Board has been given an aggrieved party, said aggrieved person shall appeal said finding or ruling to the Circuit Court of the County of his residence, or to the Circuit Court of Montgomery County. In the event of such appeal, the Circuit Court shall hear the same *de novo*. Such appeal shall be taken by the filing with the Board and the Clerk of the Circuit Court of a petition stating the aggrieved person's desire to appeal said findings, and said petition shall specify whether the appeal is taken to the Circuit Court of the county of his residence or to the Circuit Court of Montgomery County. Such aggrieved person shall have a right to demand trial by jury by demanding same at the time of the filing with the Board of the notice of appeal. The action of the Board shall be stayed pending such appeal. The Circuit Court shall have the right to affirm, reverse or affirm in part or reverse in part the finding of the Board and shall render such final judgment as to the court may seem just and proper.

In the event the decision of the Board is affirmed the cost of such appeal shall be taxed against the party taking such appeal. In the event the decision of the Board is not affirmed in whole the court shall in its discretion tax such cost of appeal against the Board or against the person taking such appeal or partly against each; and

the court in its discretion may award a reasonable attorney fee to the attorney for the party taking such appeal as part of such cost, in the event the decision of the Board is not affirmed in whole.

Section 9. The holder of a certificate or license issued by said Board as provided by this Act who continues in active practice of said profession within the meaning of this Act shall on or before the 1st day of January renew his or her certificate or license and pay the renewal fee. A certificate or license which has not been renewed prior to the 31st day of January of that year shall expire on the 1st day of February of that year. The holder of the expired certificate or license may have within three (3) years of the date of expiration, the certificate restored upon the payment of the required renewal fee and satisfactory proof of his or her qualifications to resume practice or profession. The restoration fee shall be as follows: the sum of the accumulated annual renewal fees for the elapsed period, plus the fee for the current year. The first certificates or licenses issued under this Act shall be valid until January 1, 1972.

Section 10. Any person, firm or corporation, who shall engage in any of the practices, designated to be within the meaning of this Act, or act in any capacity wherein a certificate or license is required without a certificate or license provided in this Act, or shall in any other form or manner violate any of the provisions of this Act shall be guilty of a misdemeanor and shall be fined not to exceed \$100.00 or shall be imprisoned for no more than ninety (90) days or both, and if a corporation shall be punished by a fine of no more than \$500.00. After official notice of such violation, each day of operation or practice constitutes a separate violation.

Section 11. The various fees to be paid by the applicants for original registration, original license, annual renewals and examinations as required under this Act shall be as follows:

- (1) For an examination to determine the preliminary education of an applicant, \$6.00.
- (2) For an examination to determine the qualifications of an applicant from another state, \$50.00.
- (3) For an examination of the same kind described in paragraph (2) of this section but given to an applicant from this state, \$25.00.
- (4) For an examination to determine the qualifications of an applicant to receive a certificate of registration to practice as an apprentice, \$20.00.
- (5) For an examination to determine the qualifications of an applicant to receive a certificate of registration as an instructor or assistant instructor, \$50.00.
- (6) For the issuance of the initial certificate to operate a barber college, \$500.00.
- (7) For each annual renewal of a barber's certificate, \$20.00.
- (8) For each annual renewal of an apprentice's certificate, \$15.00.
- (9) For each annual renewal of an instructor's or assistant instructor's certificate \$50.00.
- (10) For each annual renewal of a certificate to operate a barber college, \$200.00.
- (11) For the restoration of any expired certificate except for a barber college, \$20.00.

(12) For the restoration of an expired certificate for a barber college, \$100.00.

(13) For annual license for Barber Shop, \$20.00.

(14) For the issuance of any duplicate certificate, \$20.00.

Section 12. Every holder of a certificate of registration shall display same in a conspicuous place adjacent or near his work chair in his place of employment.

Section 13. Receipts and expenses of Board: All money, funds, and other receipts received by the Board shall be deposited in a depository which shall be a bank within the State designated by the Board. Such funds shall be expended for carrying out the purpose of the Act and may be withdrawn on order of the Executive Officer of the Board. All such money and funds and other receipts are hereby appropriated for use of the Board for the necessary and proper expenses of the Board and for carrying out the purposes of this Act. The accounts of the Board shall be examined annually by the office of the Chief Examiner of Public Accounts of the State of Alabama.

Section 14. There is hereby created the Alabama Board of Barber Examiners, to consist of five (5) persons. Such Board shall be appointed by the Governor of the State of Alabama, one person appointed for the term of one year, one person for a term of two years, one person for a term of three years, one person for a term of four years and open person for a term of five years and until their successors are appointed and qualified.

Each member of said Board shall be a practicing registered barber, who has followed the occupation of barbering for five continuous years in Alabama prior to his appointment.

The members of said Board shall serve five (5) years. Vacancies caused by death, resignation or otherwise shall be filled by the present member of the Board. Members appointed to fill vacancies shall serve for the unexpired term of their predecessors. Said Board may do all things necessary and convenient for enforcing the provisions of this Act. They may from time to time promulgate necessary rules and regulations compatible with provisions of this Act, and the State Board of Health.

OFFICERS OF THE BOARD: The members of the Board shall annually elect from among their numbers a president, a vice-president and appoint an executive secretary. The executive secretary need not be a member of the Board. The Board shall be empowered to employ adequate personnel to properly enforce the provisions of this Act. The compensation of said personnel shall be paid out of the funds received by the Board. All employees of the Board shall serve at the pleasure of the Board. The executive Secretary and all employees that handle money before entering upon the discharge of his duties, shall file with the Treasurer of the State of Alabama, a good and sufficient bond in the penal sum of \$10,000, payable to the State of Alabama, to insure the faithful performance of his or her duties as such executive secretary, and the premium on such bond shall be paid out of the funds of the Board.

The executive secretary of the Board shall be paid a salary as determined by the Board, to be paid semi-monthly and shall be reimbursed on necessary travel expenses and other incidental expenses incurred in the discharge of his official duties, when properly vouchered and authorized by the Board.

Each member of the Board shall receive compensation fixed by the Board, not to exceed \$40.00 per diem while engaged in the discharge of his official duties and necessary expenses plus 10¢ a mile for necessary travel involved in such official duties, not to exceed 30 days in any one calendar year.

The compensation and expenses as herein provided and other expenses authorized by this Act shall be paid from the fund derived from the operation of this Act.

The Board shall meet in the City of Montgomery, Alabama, on the second Monday in January, April, July and October of each year, and at such other times and places as the Board may direct. The majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall prescribe rules for its government and have a seal with which to authenticate its Acts.

The said Board shall keep a permanent record of its proceedings. It shall keep a register of applications for certificate or licenses showing the name of the applicant, the name and location of his or her place of occupation or business and whether the applicant was granted or refused a license. The books and records of the Board shall be prima facie evidence of the matters therein contained, which constitute public records and shall at all reasonable times be open for public inspection.

The State Board of Barber Examiners shall work with, seek the advice and cooperate with The State Health Department of all matters of sanitation in regards to inspection of Barber shops, barber school and barbers in the State of Alabama.

The State Board of Examiners shall work with, seek the advice and cooperate with the State Department of Education on matters of establishing education of applicants for barber schools or applicants for apprentice license, or applicants for a certificate as a journeymen barber.

Section 15. Nothing in this act shall abrogate or affect any of the provisions of the public health laws, the state sanitary code or any local laws or state act or local application or municipal ordinances, except to the extent that this act shall provide minimum qualifications and requirements for the practice of barbering and the operation of barber shops and barber colleges.

Section 16. If any section or phrase of this Act is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Act.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. O'Bannon offered the following amendment to the substitute for the Bill, S. B. 202, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 202

Amend Section 1 of Senate Bill 202 as substituted by deleting therefrom clauses (2), (3), and (4) and by placing a period after the clause "shaving or trimming the beard or trimming the hair".

Which was adopted.

Mr. O'Bannon then offered the following amendment to the substitute, as amended, for the Bill, S. B. 202, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 202

Amend substitute for S. B. 202 as follows:

(1) In Section 3, delete in the third paragraph, first sentence the words "at the time of the passage of this Act."

(2) In Section 3, delete in the fourth paragraph the words "but shall be subject to the inspection and sanitation requirements, the overall requirements specified by this Act and rules set forth by the Board of Barber Examiners relating to barber colleges."

(3) In Section 7, delete in the third paragraph the words and figures "1500 hours" and in lieu thereof insert the words and figures "1000 hours" and also delete therefrom the words "completed within 12 months, with no more than 8 hours to any working day, subject to the Board's authority to determine by regulation the days and hours of school within these limits."

(4) In Section 7, in the third paragraph add the following: "The Board shall approve all hours of instruction given by any of the State educational institutions and schools."

Which was adopted.

Mr. O'Bannon then offered the following amendment to the substitute, as amended, for the Bill, S. B. 202, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 202

Amend Section 11 of Senate Bill 202 as substituted to read as follows:

"Section 11. The various fees to be paid by the applicants for original registration, original license, annual renewals and examinations as required under this Act shall be as follows:

(1) For an examination to determine the qualification of an applicant, \$10.00.

(2) For an examination to determine the qualifications of an applicant from another state, \$25.00.

(3) For an examination to determine the qualifications of an applicant to receive a certificate of registration as an instructor or assistant instructor, \$30.00.

(4) For the issuance of the initial certificate to operate a barber college, \$300.00.

(5) For each annual renewal of a barber's or apprentice's certificate, \$10.00; provided however, that in cities and unincorporated towns of 2,000 or less according to the last Federal Decennial census, the fee shall be \$5.00.

(6) For each annual renewal of an instructor's or assistant instructor's certificate \$20.00.

(7) For each annual renewal of a certificate to operate a barber college, \$100.00.

(8) For the restoration of any expired certificate except for a barber college, \$10.00.

(9) For the restoration of an expired certificate for a barber college, \$50.00.

(10) For annual license for Barber Shop, no charge for shop operated by one barber, \$10.00 for shop operated by two barbers; and \$5.00 additional fee for each additional barber or apprentice in such shop.

(11) For the issuance of any duplicate certificate, \$1.00.

Amend Section 15, third line, between the words "state act" and the words "local application", change the word or to read of.

Which was adopted.

Mr. O'Bannon then offered the following amendment to the substitute, as amended, for the Bill, S. B. 202, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 202

Said Bill, as substituted, is amended by adding thereto the following:

"Section 18. The provisions of this Act shall not apply to Limestone, Morgan, Houston, Dale, Conecuh or Wilcox Counties."

Which was adopted.

Mr. Cook then offered the following amendment to the substitute, as amended, for the Bill, S. B. 202, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 202

Amend Section 15 of Senate Bill 202 to read as follows:

"Section 15. This act shall not repeal any provisions of the public health laws, the state sanitary code, or any local acts, or general acts of local application, or municipal ordinances, where the provisions thereof have standards, qualifications and requirements for the practice of barbering, the operation of barber shops or barber colleges equal to or higher than those provided herein, and such laws, codes, acts, or ordinances shall remain in their entirety in full force and effect."

Which was adopted.

On motion of Mr. O'Bannon, further consideration of the Bill, S. B. 202, and pending substitute, was postponed until the next Legislative Day as Unfinished Business.

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Clark, further consideration of the Bill, S. B. 252, was postponed until the Twenty-fourth Legislative Day.

ADJOURNMENT

At 5:25 P. M., on motion of Mr. Pelham, pending further consideration of S. B. 202 and H. B. 138, the Senate adjourned until Thursday, July 29, 1971, at 11 o'clock A. M.

TWENTY-SECOND LEGISLATIVE DAY

THURSDAY, JULY 29, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Emory B. Green, Minister, Dalraida Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

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JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-first Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Grainger:

H. 114. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written

policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 114. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Chesnut and Baker:

H. 1496. To amend the title and Section 1 of Act No. 665, H. 910, Regular Session 1967 (Acts 1967, p. 1486) which provides expense allowances for tax assessors in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1497. To repeal Act No. 873, H. 1203, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1582), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board."

Also:

By Messrs. Chesnut and Baker:

H. 1498. To repeal Act No. 722, H. 1018, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1557), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 according to the most recent federal decennial census; further regulating the compensation and meeting days of members of the county board of education in all such counties."

Also:

By Messrs. Chesnut and Baker:

H. 1499. To apply only in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; authorizing the county board of education to fix expense allowances for its members; and further regulating the compensation and meeting days for members of such board of education in said counties.

Also:

By Messrs. Chesnut and Baker:

H. 1501. To amend the title and Section 1 of Act No. 936, H. 1352, Regular Session 1969 (Acts 1969, p. 1672) which authorizes the county

commission to appropriate county funds to establish a contingent fund providing for the use of such funds in certain counties classified on a population basis.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1523. To repeal Act No. 561, H. 396, approved August 25, 1961, Regular Session 1961 (Acts 1961, p. 660), entitled, "An Act Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board."

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1524. To repeal Act No. 111, H. 252, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 391), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education."

Also:

By Mr. Stubbs:

H. 1685. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

An Act, To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein, to-wit:

A tract of land composed of the entire SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of SECTION 16, Township 22 South, Range 3 West and further described as follows:

Begin at the Southeast corner of said quarter-quarter section and at an angle of 88 deg. 36 min. to the right from the South side of same go 1818.03 feet to Northeast corner of same, thence at an angle of 88 deg. 40 min. to the left 1313.80 feet, thence at an angle of 88 deg. 30

min. to the left 1317.26 feet, thence at an angle of 91 deg. 34 min. to the left 1310.00 feet to point of beginning; situated in Shelby County, Alabama.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the city of Montevallo, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need plat or map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act to be introduced in a Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Montevallo in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "no" shall be written or printed on his ballot.

The City of Montevallo shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "yes" the provisions of this Act shall become operative immediately. If the majority are "no" this Act shall have no further effect.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: June 24, July 1, 8, 15, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 16th day of July 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 1686. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Article 4, Section 106, Constitution of Alabama, that application will be made to the Legislature of Alabama for enactment of a local law applicable to the city of Alabaster in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the city of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Sectin 1. To alter, re-arrange and extend the boundaries and corporate limits of the city of Alabaster so as to incorporate certain territory as described herein, to-wit:

Begin at the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, Township 20 South, Range 3 West, Shelby County, Alabama; thence turn in a westerly direction along the north line of said quarter-quarter a distance of 1320 feet, more or less, to the northwest corner of said quarter-quarter; thence run in a southerly direction along the west line of said quarter-quarter a distance of 1320 feet, more or less, to the southwest corner of said quarter-quarter, said point also being the northwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27; thence continue on last described course along the west line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 1320 feet, more or less, to the southwest corner of said quarter-quarter; thence run in an easterly direction along the south line of said quarter-quarter a distance of 1320 feet, more or less, to the southeast corner of the said quarter-quarter, said point also being the southwest corner of the southwest quarter of the Southwest Quarter of Section 26, Township 20 South, Range 3 West; thence continue on last described course in an easterly direction along the south line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 1320 feet, more or less, to the southeast corner of said quarter-quarter; thence run in a northerly direction along the east line of said quarter-quarter a distance of 1320 feet, more or less, to the northeast corner of said quarter-quarter, said point also being the southeast corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 26; thence continue on last described course, continuing in a northerly direction along the east line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 1320 feet, more or less, to the northeast corner of said quarter-quarter, said point also being the southeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 26; thence continue in a northerly direction along the east line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 1320 feet, more or less, to the northeast corner of said quarter-quarter; thence run in a westerly direction along the north line of said quarter-quarter a distance of 1320 feet, more or less, to the northwest corner of said quarter-quarter; thence run in a southerly direction along the west line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 1320 feet, more or less, to the point of beginning; situated in Shelby County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to

law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 20, 27, June 3, 10, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 11th day of June 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 1696. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Article 4, Section 106, Constitution of Alabama, that application will be made to the Legislature of Alabama for enactment of a local law applicable to the City of Alabaster in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein, to-wit:

Begin at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 34, Township 20 South, Range 3 West, Shelby County, Alabama; thence run in a Southerly direction along the center line of the Northeast Quarter and the Southeast Quarter of said Section 34, a distance of 5,307.72 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of Said Section 34; thence run in a Westerly direction along the South line of said Southwest Quarter of Southeast Quarter a distance of 1,319.23 feet to the Southwest corner of said Southwest Quarter of Southeast Quarter; thence run in a Northerly direction along the center line of said Section 34 a distance of 5,311.56 feet to the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 34; thence run in an Easterly direction along the North line of said Northwest Quarter of Northeast Quarter a distance of 1,335.57 feet to the point of beginning; situated in Shelby County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: June 17, 24, July 1, 8, 1971.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 9th day of July 1971.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Merrill, Stewart, and Burgess:

H. 1231. Relating to counties having populations of not less than 95,000 nor more than 115,000; providing further for the issuance of certificates of birth and death occurring in such counties; and prescribing penalties.

Also:

By Messrs. Stewart, Burgess and Merrill:

H. 1251. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1474. To amend the title and Section 1 of Act No. 456, H. 493, Regular Session 1967 (Acts 1967, p. 1148), which regulates the compensation of the judges of the juvenile and domestic relations courts in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1475. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court of such counties; to repeal conflicting laws.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1476. To amend the title and Section 1 of Act No. 442, H. 192, Regular Session 1967 (Acts 1967, p. 1115), which provides further for the compensation of the chairman and members of the county commission, repeals conflicting laws in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1477. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1478. To amend the title and Section 1 of Act No. 197, H. 262, Special Session 1964 (Acts 1964, p. 260), which provides for the office, appointment, tenure, and compensation of a chief bailiff of the circuit courts of certain counties on a population basis.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 1479. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1496, 1497, 1498, 1499, 1501, 1523, 1524, 1685, 1686, 1696, 1231, 1251, 1474, 1475, 1476, 1477, 1478 and 1479. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 1221. Relating to Lee County: To abolish the offices of county solicitor and deputy circuit solicitor or deputy district attorney, however designated, for such county, and to require the district attorney of the Thirty-seventh Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the county solicitor or deputy circuit solicitor or deputy district attorney, however designated, were formerly required by law to represent the State or the county.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County: To abolish the offices of county solicitor and deputy circuit solicitor or deputy district attorney, however designated, for such county, and to require the district attorney of the Thirty-seventh Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the county solicitor or deputy circuit solicitor or deputy district attorney, however designated, were formerly required by law to represent the State or the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county solicitor of Lee County is hereby abolished, and the duties of such office are hereby imposed on the district attorney of the Thirty-seventh Judicial Circuit.

Section 2. The office of deputy circuit solicitor or deputy district attorney, however designated, of Lee County is hereby abolished, and notwithstanding the provisions of Title 13, Section 256, Code of Alabama, 1940, the district attorney of the Thirty-seventh Judicial Circuit, which includes Lee County, shall not appoint nor be authorized to appoint a deputy circuit solicitor or deputy district attorney, however designated, for Lee County.

Section 3. In addition to all other duties required by law of the district attorney of the Thirty-seventh Circuit, which includes Lee County, it shall be the duty of such district attorney to represent the State of Alabama and Lee County in all cases, actions and proceedings in which the State of Alabama and Lee County would have been represented by the county solicitor or the deputy solicitor of Lee County had the offices of county solicitor and deputy solicitor not been abolished.

Section 4. The provisions of this Act are severable. Should any section, paragraph or portion of this Act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 5. Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama, 1949, page 312), and Act No. 232, H. 599, approved September 30, 1959 (Acts 1959, Vol. 1, p. 778) which amends said Act No. 220 of 1949, and any and all other laws in conflict herewith are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me July 8, 1971.

ALICE M. WHITE,
Notary Public.

Also:

By Messrs. Carter and Cross:

H. 1395. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Also:

By Messrs. Carter and Cross:

H. 1396. Relating to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

By Messrs. Carter and Cross:

H. 1397. To authorize the governing bodies of counties having a population of not less than 39,500 nor more than 41,750 according to the 1970 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

By Messrs. Carter and Cross:

H. 1398. To apply only to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

Also:

By Messrs. Chesnut and Baker:

H. 1481. To amend section XIII of Act No. 822, Acts of Alabama 1969, Regular Session, relating to Cherokee County gasoline tax so as to authorize the state department of revenue to collect such tax for

Cherokee County; to require such tax collected to be deposited with the state treasurer; and to require the state treasurer to remit such tax to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill will be introduced in the present General Session of the Legislature viz.:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND section XIII of Act No. 822, Acts of Alabama 1969, Regular Session, relating to Cherokee County gasoline tax so as to authorize the state department of revenue to collect such tax for Cherokee County; to require such tax collected to be deposited with the state treasurer; and to require the state treasurer to remit such tax to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section XIII, Act No. 822, Acts of Alabama 1969,, Regular Session, is amended to read as follows:

Section XIII. Upon the request of the governing body of such county the state department of revenue of Alabama, with the approval of the Governor, may collect the tax imposed under this Act for & on behalf of Cherokee County; & in that event it is given all the power, jurisdiction, authority, and privileges granted to the governing body of Cherokee County hereunder, and all reports, payments and information required to be made, paid or given to the governing body of such county, shall be made, paid or given to the state department of revenue under the penalties and subject to the prosecution prescribed herein. This section being for the benefit of the county, the department of revenue, and the State of Alabama, shall be chargeable only with the tax actually collected by it. Such tax collected under this Act by the State department of revenue shall be deposited with the state treasurer. On or before the tenth (10) day of the month following such collection, the state treasurer, upon order of the department of revenue, shall remit the same to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1971.

JOE SHAW, JR.

Sworn to and subscribed before me July 16, 1971.

DOT JOHNSON,
Notary Public,
Alabama State at Large.

Also:

By Messrs. Chesnut and Baker:

H. 1482. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which establishes and provides for the operation of the Cherokee County Court, amending sections 4 and 10 of such act, so as to provide for only one mandatory jury session each year, and to provide further for the compensation of the official Court Reporter.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such ensuing session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which establishes and provides for the operation of the Cherokee County Court, amending sections 4 and 10 of such act, so as to provide for only one mandatory jury session each year, and to provide further for the compensation of the official Court Reporter.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 4 and 10 of Act No. 505, Section 453 of the regular session of 1963 (Acts, 1963, page 1087), which establishes and provides for the operation of such court are amended to read as follows:

"Section 4. That said court shall be held at the courthouse of Cherokee County, Alabama, and that said court shall be open at all times for the trial of cases and transaction of business. The judge of said court may determine and fix the time of holding the sessions of said court for the trial of all cases, both civil and criminal; provided, however, that all civil and criminal cases in which no jury is demanded, shall be called for trial at least once in each month, and for the trial of civil and criminal cases wherein juries have been demanded there shall be one session of court each year, and time of said session to be fixed by the court by order entered upon the minutes of the court. Provided, however, that this section shall not be construed to prevent the continuance of any case in said court, by agreement of counsel or the parties on good cause shown to the court and when any cause is so continued to a specified time either for a cause shown to the Court or by agreement of the parties or counsel, it shall not be necessary to call said case until the expiration of the time to which it has been continued, and provided further that the court shall have the right and power to call extraordinary jury sessions of said court whenever, in the judgment of the court, the same are necessary."

"Section 10. That the judge of said court shall appoint a competent person, who shall not be required to reside in Cherokee County, Alabama, capable of taking the proceedings of said court in shorthand, or by mechanical device or devices, as the official court reporter for said court, and shall make an order of appointment of such official reporter, and when so appointed may be removed by the judge of said court at his discretion, and his duties shall be the same as are now provided by law for the reporter of the Circuit Courts of the State and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as are now provided for said Circuit Court Reporter, and shall receive as a salary the sum of Twelve Hundred Dollars per annum. The said annual salary of said official Court Reporter shall be paid out of the County Treasury of Cherokee County, Alabama, in equal monthly installments at the end of each month upon warrants drawn in the same manner as other employees of Cherokee County are paid."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1971.

JOE SHAW, JR.

Sworn to and subscribed before me July 16, 1971.

DOT JOHNSON,
Notary Public,
Alabama State at Large.

Also:

By Messrs. Chesnut and Baker:

H. 1483. To repeal Act No. 677, S. 820, approved August 29, 1969, Regular Session 1969 (Acts of Alabama, Special and regular Sessions, 1969, p. 1212), entitled, "An Act Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds."

Also:

By Messrs. Chesnut and Baker:

H. 1484. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168) which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis and to provide an effective date to begin at the next term of office.

Also:

By Messrs. Chesnut and Baker:

H. 1485. To repeal Act No. 823, H. 899, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1209), entitled, "An Act Relating to counties having a population of not less than 16,150 nor more than 17,250 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers."

Also:

By Messrs. Chesnut and Baker:

H. 1486. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1487. To amend the title and Section 1 of Act No. 118, H. 426, Regular Session 1965 (Acts 1965, p. 176), which provides transportation allowances for the chairmen and members of the county commission in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1488. To amend the title and Section 1 of Act No. 126, H. 115, Special Session 1965 (Acts 1965, p. 178), which authorizes the Chief Justice of the Supreme Court to assign a special Judge to the County Courts of record in certain counties classified on a population basis where the duly elected or appointed Judge thereof is disqualified to act or is unable to attend Court on account of sickness or a vacancy has existed in the office of the Judge of said Court for more than thirty days, and to provide additional compensation to be paid such special Judge from the general fund of the County.

Also:

By Messrs. Chesnut and Baker:

H. 1489. To amend the title and Section 1 of Act No. 346, H. 333, Special Session 1966 (Acts 1966, p. 489) which regulates the salary of the coroner in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1490. To amend the title and Section 1 of Act No. 198, H. 222, Special Session 1967 (Acts 1967, p. 244) which provides expense allowances for clerks of the circuit courts in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1491. To amend the title and Section 1 of Act No. 563, H. 705, Regular Session 1967 (Acts 1967, p. 1319) which authorizes the chairman or president of the county governing body to make expenditures from the county road, bridge and public building fund in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1492. To amend the title and Section 1 of Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243) which provides clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides is classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1493. To amend the title and Section 1 of Act No. 512, H. 860, Regular Session 1969 (Acts 1969, p. 982) which relieves the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1494. To amend the title and Section 1 of Act No. 664, H. 909, Regular Session 1967 (Acts 1967, p. 1485) which provides expense allowances for tax collectors in certain counties classified on a population basis.

Also:

By Messrs. Chesnut and Baker:

H. 1495. To amend the title and Section 1 of Act No. 694, H. 956, Regular Session 1967 (Acts 1967, p. 1519) which provides expense allowances for the register in chancery in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1221, 1395, 1396, 1397, 1398, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494 and 1495. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Stewart and Burgess:

H. 1480. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1518. To amend the title and Sections 1 and 2 of Act No. 170, H. 15, Special Session 1967 (Acts 1967, p. 217), which abolishes the office of clerk of the jury commission, provides that the circuit court shall perform the duties of the abolished office, and authorizes the county to provide for employment of additional clerical help in certain counties classified on a population basis.

Also:

By Messrs. Falkenburg, Doss, Parker (H), Erdreich, Dill, Weeks, Ellis, Jones (E), Boles, Timmons, Boutwell and Adwell:

H. 307. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

By Messrs. Timmons, Jones (E), Parker (H) and Wallace:

H. 404. Relating to the Tenth Judicial Circuit, Bessemer Division providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Tenth Judicial Circuit, Bessemer Division, providing for the appointment, duties and compensation of one additional Assistant Deputy District Attorney in such Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The Deputy District Attorney of the Bessemer Division, Tenth Judicial Circuit, shall be authorized to appoint one additional Assistant Deputy District Attorney in addition to the one appointed Assistant Deputy District Attorney in such Circuit. The second Assistant Deputy District Attorney appointed pursuant to this Act, who shall be a resident and qualified elector of the County comprising the Circuit, qualified to practice law in the Courts of this State, shall serve at the pleasure of the appointing Deputy District Attorney. Such Assistant Deputy District Attorney shall be a State officer and shall perform such duties as are performed by the other Assistant Deputy District Attorney in the Circuit or such duties as the Deputy District Attorney shall require.

Section 2. The second Assistant Deputy District Attorney shall be paid an annual salary of \$9,000.00, paid by the State as the salaries of other State officers are paid, and in addition shall be paid out of the general fund of the County comprising the Circuit, an annual salary of \$5,000.00 payable in equal monthly installments.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: ~~EDITOR-PUBLISHER~~ of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 23, 30, May 7, 14, 1971 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 14th day of May, 1971.

JOHN E. SMITH,
Notary Public.

Also:

By Messrs. Doss, Timmons, Parker (H) and Erdreich:

H. 442. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places

for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary; to provide for the abolishment of the Jefferson County Court of General Sessions: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

There will be presented to the next regular session of the legislature of Alabama a bill to establish an inferior court in precincts now designated as 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham, Alabama, in lieu of all Justices of the Peace and of all Notaries Public with powers of Justices of the Peace and with concurrent jurisdiction with all other Justices of the Peace and Civil Courts in the Birmingham Division of Jefferson County, Alabama; to define jurisdiction as to character and amounts involved in cases to be handled by said court and the powers thereof; to define the power and duties of the Judge, Clerk and other officers thereof; to provide for places of holding said court, term and salary of said Judge and the appointment, election, and the payment of the salary thereof, and adjustment of other costs; to provide for the abolishment of the Jefferson County Court of General Sessions and the transfer of all cases now pending the said court and all records to the court created by this act.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of February 6, 13, 20, 27, 1971, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 1st day of March, 1971.

ANGIE CAMPISI,
Notary Public.

Also:

By Messrs. Meeks, Wallace, Dill, Weeks, McBride, Adwell, Jones (E), Boles, Timmons, Cherner, Falkenburg, Gafford, Waggoner, Doss and Boutwell:

H. 463. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Cherner, Dill, Weeks, Jones (E), Wallace, Erdreich, Ellis and Gafford:

H. 685. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Also:

By Messrs. McBride, Weeks, Boutwell, Erdreich and Doss:

H. 850. To apply only in counties having a population of 500,000 or more according to the last or any succeeding decennial federal census; to authorize any county board of education in such county to provide insurance against loss or damage by fire, lightning, windstorm, hail or other peril, and any or all school buildings or properties, equipment, furniture or supplies stored in such building which belong to said county board or in which such county board has an interest.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1480 and 1518. To the Committee on Local Legislation No. 1.

H. B.'s 307, 404, 442, 463, 685 and 850. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Parker (H), Jones (E), Falkenburg and Boles:

H. 1085. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Also:

By Messrs. Parker (H), Jones (E), Ellis, Boutwell, Meeks, Cherner, Timmons, Bowers, McBride, Falkenburg and Waggoner:

H. 1089. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such

county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all

taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

By Messrs. Falkenburg, Erdreich, Dill, Timmons, Parker (H), Weeks, Boutwell, Gloor, Meeks, Bowers, Waggoner, Jones (E), Adwell and McBride:

H. 1215. Authorizing any water works board of any city having a population of 300,000, or more, according to the last or any subsequent federal census to lease any land owned or controlled by said water works board to any public authority of the same city created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947 (Ala. Acts of 1947, p. 81 et seq.), for any consideration agreeable to the water works board and such public authority, and authorizing such water works board to enter into such lease when the only consideration therefor is the benefit accruing from the public use of the land for the purposes for which said Act No. 215 provides such public authority is created, subject to the conditions prescribed by this Act.

Also:

By Messrs. Hale, King, Grainger, Lutz and Hearn:

H. 1590. Relating to cities having a population of not less than 135,000 nor more than 185,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Also:

By Messrs. King, Lutz, Grainger, Hale and Hearn:

H. 1591. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any such municipalities.

Also:

By Messrs. King, Hale, Lutz, Hearn and Grainger:

H. 1592. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the last or any subsequent federal decennial census; authorizing the governing

bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Also:

By Messrs. Grainger, King, Hale, Lutz and Hearn:

H. 1593. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Also:

By Messrs. Grainger, Lutz, King, Hale and Hearn:

H. 1594. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations.

Also:

By Messrs. Hearn, King, Grainger, Lutz and Hale:

H. 1595. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

By Messrs. Hale, King, Hearn, Grainger and Lutz:

H. 1596. Relating to cities having a population of not less than 135,000 nor more than 185,000 according to the last or any subsequent federal decennial census; providing that such cities shall be governed by a mayor and five councilmen; providing for the election of the mayor and council of all such cities; further providing for the powers and duties of the mayor in said cities; providing for qualifying fees for each person who is a candidate for office of the mayor and for office of the council in said cities; further providing for the compensation of the mayor within said cities; providing for the appointment by the Mayor of an administrative assistant to the mayor within said cities; and providing for an effective date for this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1085, 1089 and 1215. To the Committee on Local Legislation No. 2.

H. B.'s 1590, 1591, 1592, 1593, 1594, 1595 and 1596. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham, Brassell and Adams:

H. 797. To provide office furniture, supplies, and equipment and a secretary for the Circuit Judge for the Thirty-seventh Judicial Circuit.

Also:

By Mr. Turnham:

H. 1135. To authorize the coroner of Lee County to appoint a deputy.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the coroner of Lee County to appoint a deputy.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Lee County is hereby authorized to appoint a deputy, who shall hold office at the pleasure of the coroner and perform such duties as the coroner may direct. Such deputy coroner shall be paid by the coroner and shall not be entitled to compensation from the county.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me June 17, 1971.

ALICE M. WHITE,
Notary Public.

Also:

By Mr. Turnham:

H. 1136. Relating to the official court reporter of the thirty-seventh judicial circuit; authorizing the Lee County Commission to pay such reporter additional compensation.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the official court reporter of the thirty-seventh judicial circuit; authorizing the Lee County Commission to pay such reporter additional compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lee County Commission in its discretion may pay the official court reporter of the thirty-seventh judicial circuit additional compensation in the amount of \$225 per month. The compensation provided for herein shall be in addition to all other compensation now provided by law and shall be paid from the general fund of Lee County.

Section 2. This act is cumulative.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me June 17, 1971.

ALICE M. WHITE,
Notary Public.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1137. To provide for a District Attorney's Fund for the Thirty-seventh Judicial Circuit.

Also:

By Messrs. Turnham, Adams and Brassell:

H. 1139. To amend the title and Section 1 of Act No. 931, H. 1484, Regular Session 1961 (Acts 1961, p. 1497), which authorizes the appointment of juvenile court officers in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Adams and Brassell:

H. 1140. To amend the title and Section 1 of Act No. 109, H. 105, Special Session 1964 (Acts 1964, p. 169), which provides for and regulates the licensing and operation of, and hunting on, certain privately owned hunting preserves; provides for fees, and collection and distribution thereof, for such licenses, and penalties for violations of this act, in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1141. To amend the title and Section 1 of Act No. 305, H. 559, Regular Session 1965 (Acts 1965, p. 421), which authorizes the county governing body to appropriate a contingent fund out of county funds to be used for purposes not otherwise provided by law, in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1142. To amend the title and Section 1 of Act No. 676, S. 814, Regular Session 1969 (Acts 1969, p. 1211), which permits banks to establish, etc. certain branch offices within the county limits for certain purposes with consent of the state superintendent of banks, in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1143. To amend the title and Section 1 of Act No. 489, S. 635, Regular Session 1969 (Acts 1969, p. 949), which provides for payment by housing authorities or redevelopment agencies, on appeal from certain condemnation proceedings, of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee except in certain instances, in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1144. To amend the title and Section 1 of Act No. 552, H. 381, Regular Session 1967 (Acts 1967, p. 1303), which provides, where voting machines are authorized, for the dividing of voting precincts into territories and designating a voting center therein; prescribing the number of voting machines at such centers, and providing for election officers at such centers, in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1145. To amend the title and Section 1 of Act No. 1120, H. 732, Regular Session 1969 (Acts 1969, p. 2076), which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1146. To amend the title and Section 1 of Act No. 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), which fixes pistol permit fees and provides for deposit and use of such fees in certain counties classified on a population basis.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1147. To amend the title and Section 1 of Act No. 250, H. 639, Regular Session 1963 (Acts 1963, p. 660), which changes the method of electing, the designation of, and term of office of, members of the Board of Commissioners of certain cities classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 797, 1135, 1136, 1137, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146 and 1147. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill, St. John, Lutz, Nettles, Taylor, Cauthen, Carnes, Erdreich, Doss, Flipppo, Crowe and Grey (D):

H. 349. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make future changes therein, to govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

Also:

By Messrs. Robertson, Bank and Culver:

H. 456. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 349 and 456. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hill:

H. 339. To repeal Section 107 of Title 15, and Section 220 of Title 29, Code of Alabama 1940, both of which relate to the time of executing search warrants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 339. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with the provisions of Senate Joint Resolution No. 56, heretofore adopted, the Speaker of the House appointed as a committee on the part of the House Messrs. Merrill, Casey and Doss.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Culver and Lyons:

H. J. R. 117. COMMENDING THE ALABAMA CATTLEMEN'S ASSOCIATION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 117, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

REPORTS OF COMMITTEES

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 771. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 110,000 people and not more than 150,000 people, according to the last and any subsequent decennial Federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

By Mr. Shelby:

S. 772. To apply only in counties in the state having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner

herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Mr. Shelby:

S. 773. To authorize the governing bodies of all counties having populations of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

By Mr. Shelby:

S. 774. Relating to the office of commissioner of licenses in counties having populations of not less than 110,000 nor more than 150,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

By Mr. Shelby:

S. 775. Relating to counties having populations of not less than 110,000 nor more than 150,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

By Mr. Shelby:

S. 776. Providing further for the operation of the county board of equalization of each county having a population of not less than 110,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board and providing for the employment of clerks and other employees of the board.

By Mr. Shelby:

S. 777. Relating to counties having a population of not less than 110,000 nor more than 150,000; fixing the compensation of certain officers in such counties.

By Mr. Shelby:

S. 779. To apply only in counties having populations of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

By Mr. Shelby:

S. 780. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the inferior courts of such counties.

By Mr. Shelby:

S. 781. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing expense allowances for certain officers in such counties.

By Mr. Shelby:

S. 782. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

By Mr. Shelby:

S. 783. To fix the supplemental salaries of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 110,000 people and is less than 150,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

By Mr. Shelby:

S. 784. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

By Mr. Shelby:

S. 785. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

By Mr. Shelby:

S. 786. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of at least seven hundred fifty thousand dollars, whose principal place of business is situated in counties having a population according to the 1970 or any subsequent decennial census of the United States of not less than 110,000 nor more than 150,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which the principal place of business of said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

By Mr. Shelby:

S. 787. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

By Mr. Shelby:

S. 788. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

By Mr. Shelby:

S. 789. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

By Mr. Shelby:

S. 790. Providing that in any county having a population of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census, it shall be unlawful for any person to enter, or attempt to enter, any church of which he is not a member while religious services are in progress therein after having been requested not to enter or attempt to enter said church by any member, usher, minister or preacher of said church, or to fail to leave or vacate said church of which he is not a member after such service has begun therein when requested to do so by any member, usher or preacher or minister of said church, and to provide and prescribe punishment for violation of this Act.

By Mr. Shelby:

S. 791. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

By Mr. Shelby:

S. 792. Relating to counties having populations of not less than 110,000 nor more than 150,000; to provide an additional alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

By Mr. Shelby:

S. 793. Relating to all cities in the State of Alabama having a population of not less than 60,000 people nor more than 80,000 people, according to the last or any succeeding regular federal decennial census; providing for a special referendum in any such city for the purpose of giving the qualified electors of the city an opportunity to express themselves for or against the participation by such city in an Urban Renewal Project; authorizing an expenditure from general funds of such municipality to pay the cost of such election; and authorizing expenditures from the general fund of such city to pay the cost of any election heretofore held prior to the adoption of this act; and approving prior expenditures for such elections which have been heretofore held.

By Mr. Carr:

S. 798. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

By Mr. Foshee (with notice and proof):

S. 812. To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

By Mr. Foshee (with notice and proof):

S. 813. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

By Mr. Foshee (with notice and proof):

S. 814. To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately.

By Mr. Clark (with notice and proof):

S. 816. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

By Mr. Clark (with notice and proof):

S. 817. Providing an expense allowance for the tax assessor of Barbour County.

By Mr. Clark (with notice and proof):

S. 818. Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Clark (with notice and proof):

S. 819. To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

By Mr. Clark (with notice and proof):

S. 820. Providing further for the compensation and allowances of jurors in Barbour County.

By Mr. Clark (with notice and proof):

S. 821. Providing an additional deputy circuit clerk for Barbour County.

By Mr. Clark (with notice and proof):

S. 822. Providing an expense allowance for the probate judge of Barbour County.

By Mr. Clark (with notice and proof):

S. 823. Relating to Barbour County; providing an additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

By Mr. Clark (with notice and proof):

S. 824. Providing clerk hire allowances for probate judges of Barbour County.

By Mr. Clark (with notice and proof):

S. 825. Providing an expense allowance for the tax collector of Barbour County.

By Mr. Clark (with notice and proof):

S. 826. Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

By Mr. Clark (with notice and proof):

S. 827. Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

By Mr. Clark (with notice and proof):

S. 828. To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

By Mr. Clark (with notice and proof):

S. 829. To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

By Mr. Clark (with notice and proof):

S. 830. To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

By Mr. Clark (with notice and proof):

S. 831. To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue;

providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

By Mr. Clark (with notice and proof):

S. 832. To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

By Mr. Clark (with notice and proof):

S. 833. To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97).

By Mr. Clark (with notice and proof):

S. 834. To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

By Mr. Clark (with notice and proof):

S. 835. To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

By Mr. Clark (with notice and proof):

S. 836. To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460).

By Mr. Clark (with notice and proof):

S. 837. To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

By Mr. Clark (with notice and proof):

S. 838. To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627).

By Mr. Clark (with notice and proof):

S. 839. To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110).

By Mr. Clark (with notice and proof):

S. 840. To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court." (Acts of Alabama 1965, p. 49).

By Mr. Clark (with notice and proof):

S. 841. To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624).

By Mr. Clark (with notice and proof):

S. 842. To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25).

By Mr. Clark (with notice and proof):

S. 843. To repeal Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25).

By Mr. Clark (with notice and proof):

S. 844. To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414).

By Mr. Clark (with notice and proof):

S. 845. To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions

of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

By Mr. Dozier:

S. 851. To apply in all counties having populations of not less than 11,500 nor more than 12,500, providing clerk-hire allowances for certain county officers.

By Mr. Wilson (with notice and proof):

S. 854. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

By Mr. Wilson (with notice and proof):

S. 855. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

By Mr. Wilson:

S. 856. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

By Mr. Wilson (with notice and proof):

S. 857. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

By Mr. Malone:

S. 858. To provide that the presiding officer of the county commission of all counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census shall be officially known and designated as the Chairman of the County Commission.

By Mr. Easters:

H. 31. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

By Mr. Fite:

H. 142. To amend the title and Section 1 of Act No. 168, H. 163, 1st Special Session 1964 (Acts 1964, p. 233), which provides expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body, in certain counties classified on a population basis.

By Mr. Fite:

H. 144. Relating to counties having populations of not less than 16,600 nor more than 16,950, fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

By Mr. Fite:

H. 145. To amend the title and Section 1 of Act No. 855, H. 1168, Regular Session 1969 (Acts 1969, p. 1562), which regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. Fite:

H. 146. To amend the title and Section 1 of Act No. 346, H. 851, Regular Session 1969 (Acts 1969, p. 719), which Act provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

By Mr. Fite:

H. 147. To amend the title and Section 1 of Act No. 388, H. 976, Regular Session 1969 (Acts 1969, p. 765), which provides for the payment of expense allowances for members of jury commissions in certain counties classified on a population basis.

By Mr. Fite:

H. 148. To amend the title and Section 1 of Act No. 120, H. 109, Special Session 1969 (Acts 1969, p. 190), which Act regulates the compensation of court reporters in certain counties classified according to population.

By Mr. Fite:

H. 149. To amend the title and Section 1 of Act No. 169, H. 164, 1st Special Session 1964 (Acts 1964, p. 234), which Act fixes the compensation of the coroner in certain counties classified on a population basis.

By Mr. Fite:

H. 151. To amend the title and Section 1 of Act No. 936, S. 15, Regular Session 1961 (Acts 1961, p. 1515) which Act applies to compensation of the Jury commission in certain counties classified on a population basis.

By Mr. Fite:

H. 152. To amend the title and Section 1 of Act No. 130, H. 184, 2nd Special Session 1965 (Acts 1965, p. 183), which Act provides for the selection of textbooks and instructional material for use in the public schools in counties classified on a population basis.

By Mr. Fite:

H. 153. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

By Mr. Fite:

H. 154. To amend the title and Section 1 of Act No. 64, H. 737, Regular Session 1969 (Acts 1969, p. 355), which provides for the expenses of members of the Boards of Education in certain counties classified on a population basis.

By Mr. Fite:

H. 155. To amend the title and Section 1 of Act No. 449, S. 419, Regular Session 1963, (Acts 1963, p. 982) which Act provides for the appointment of custodians of state highway shops and garages located in certain counties classified on a population basis.

By Mr. Fite:

H. 156. To amend Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745), which Act provides expense allowances for certain deputy sheriffs of certain counties classified on a population basis.

By Mr. Fite:

H. 157. To amend the title and Section 1 of Act No. 390, H. 978, Regular Session 1969 (Acts 1969, p. 766), which provides for expense allowances for members of boards of registrars in certain counties classified on a population basis.

By Mr. Fite:

H. 158. To amend the title and Section 1 of Act No. 114, H. 70, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

By Mr. Fite:

H. 159. To amend the title and Section 1 of Act No. 358, H. 904, Regular Session 1969 (Acts 1969, p. 730) which Act provides an expense allowance for the members of the county board of equalization payable from the general funds of the county.

By Messrs. Cross and Carter:

H. 217. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by articially propagated upland birds in all counties having populations of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution, and to prescribe penalties for violation of this Act.

By Mr. Fite (with notice and proof):

H. 225. Relating to Marion County, Alabama, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

By Mr. Fite (with notice and proof):

H. 226. To amend further Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, v. 1, p. 72), in relation to the compensation of the judge of said court and of the court reporter, and in relation to time of holding sessions of, procedure in, and the appeals from such court and the transfer of cases between the Marion County Superior Court and the circuit court of Marion County.

By Mr. Fite (with notice and proof):

H. 228. To fix the fee for issuance of pistol permits in Marion County, Alabama; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections; and to repeal all laws and parts of laws in conflict herewith, especially Act No. 28, H. 43, Special Session of the 1970 Legislature.

By Mr. Fite (with notice and proof):

H. 229. Relating to Marion County; providing an expense allowance for deputy sheriffs in said county.

By Mr. Fite (with notice and proof):

H. 230. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Bear Creek, in Marion County, Alabama.

By Mr. Fite (with notice and proof):

H. 231. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Hamilton, in Marion County, Alabama.

By Mr. Fite:

H. 232. To amend the title and Section 1 of Act No. 359, H. 905, Regular Session 1969 (Acts 1969, p. 731), which act provides an expense allowance for members of the county board of equalization, in certain counties classified on a population basis.

By Mr. Fite:

H. 233. To amend the title and Section 1 of Act No. 179, H. 742, Regular Session 1969 (Acts 1969, p. 486), which act provides for court reporters in certain counties classified on a population basis, and provides for their appointment and compensation.

By Mr. Fite:

H. 234. To amend the title and Section 1 of Act No. 357, H. 903, Regular Session 1969 (Acts 1969, p. 730), which act provides an expense allowance for the county engineer payable from county general funds, in certain counties classified on a population basis.

By Mr. Fite:

H. 235. To amend the title and Section 1 of Act No. 180, H. 743, Regular Session 1969 (Acts 1969, p. 487) which act provides for the expense of certain judges in counties classified on a population basis.

By Mr. Fite:

H. 236. To amend the title and Section 1 of Act No. 178, H. 741, Regular Session 1969 (Acts 1969, p. 486), which act provides for the expenses of members of the Boards of Education in certain counties classified on a population basis.

By Mr. Fite:

H. 237. To amend the title and Section 1 of Act No. 27, H. 79, 3rd Special Session 1965 (Acts 1965, p. 235), which act authorizes the governing bodies of certain counties classified on a population basis to set aside, appropriate, use, and expend county funds to contribute to non-profit community action committees.

By Mr. Fite:

H. 239. To apply only in counties having populations of not less than 22,575, nor more than 23,800 according to the most recent federal decennial census, prescribing qualifications, compensation, and duties of members of the boards of education in such counties.

By Mr. Fite:

H. 240. To repeal Act No. 77, H. 129, Special Session 1962 (Acts 1962, p. 100) and Act No. 116, H. 72, Special Session 1969 (Acts 1969, p. 188), which acts prescribe the qualifications, compensation, and duties of members of the boards of education in counties having populations of not less than 21,800, nor more than 21,850.

By Mr. Fite:

H. 241. To amend the title and Section 1 of Act No. 635, H. 1066, Regular Session 1965 (Acts 1965, p. 1156), which act provides for a secretary-stenographer for the courts of certain counties classified on a population basis.

By Mr. Fite:

H. 243. To amend the title and Section 1 of Act No. 853, H. 1167, Regular Session 1969 (Acts 1969, p. 1559), which act regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. Fite:

H. 244. To amend the title and Section 1 of Act No. 119, H. 284, Regular Session 1969 (Acts 1969, p. 396), which act provides for the compensation and meeting days of the jury commissions in certain counties classified on a population basis.

By Mr. Fite:

H. 245. To amend the title and Section 1 of Act No. 67, H. 740, Regular Session 1969 (Acts 1969, p. 358), which act provides for additional expenses of Chief Deputy Sheriffs in certain counties classified on a population basis.

By Mr. Fite:

H. 246. To amend the title and Section 1 of Act No. 66, H. 739, Regular Session 1969 (Acts 1969, p. 357), which act provides for the expenses of the County Solicitor in certain counties classified on a population basis.

By Mr. Fite:

H. 247. To amend the title and section 1 of Act No. 146, H. 151, Special Session 1962 (Acts 1962, p. 188), which act fixes the compensation of the county solicitors of certain counties classified on a population basis.

By Mr. Fite:

H. 248. To amend the title and section 1 of Act No. 135, H. 123, Special Session 1962 (Acts 1962, p. 176), which act provides additional compensation and allowances for certain election officers in certain counties classified on a population basis.

By Mr. Fite:

H. 249. To amend the title and section 1 of Act No. 76, H. 128, Special Session 1962 (Acts 1962, p. 99), which act provides for the uniform operation of school terms in certain counties classified on a population basis.

By Mr. Fite:

H. 250. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 22,575 nor more than 23,800 according to the most recent federal decennial census and to limit such additional expense payments to \$200.00 per month to the Chairman of such county governing body and to \$200.00 per month to the members thereof, and to provide an expiration date for this Act; and to repeal all laws in conflict herewith.

By Mr. Fite:

H. 251. To provide that school bus drivers in counties having a population of not less than 16,600 nor more than 16,950, according to the most recent federal decennial census, shall not be required to meet any minimum age requirements so long as they are duly licensed drivers and meet all other requirements of general law.

By Mr. Fite:

H. 252. To repeal Act No. 65, H. 738, Regular Session 1969 (Acts 1969, p. 356), and Act No. 360, H. 906, Regular Session 1969 (Acts 1969 p. 731), which acts apply only to counties having populations of not less than 20,100 nor more than 21,850, according to the 1960 federal decennial census, and provide for expense allowances for members of the governing bodies of such counties.

By Mr. Fite:

H. 253. To apply only to counties having a population of not less than 22,575, nor more than 23,800 according to the most recent federal decennial census; to provide an expense allowance for deputy sheriffs in such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Taylor, et al (with amendment):

H. 271. To amend further Act No. 428, H. 933 of the Regular Session of 1961, (Acts of 1961, pp 456), which creates and establishes a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000, and for municipalities in such counties having a population of 5,000 or more according to the last or any subsequent Federal decennial census; specifically to amend Section 5 of said Act so as to regulate the payment of wages of all policemen employed by any city in such counties; to repeal any conflicting laws.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (P) (with notice and proof):

H. 288. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

By Messrs. Cross and Carter:

H. 376. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

By Mr. Fite:

H. 419. To fix the compensation of the Assistant District Attorney in counties having a population of not less than 16,600 nor more than 16,950.

By Messrs. Hardin and Bassett:

H. 423. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of the jury commission in certain counties classified on a population basis.

By Messrs. Hardin and Bassett:

H. 425. To amend the title and Section 1 of Act No. 396, H. 1025, Regular Session 1969 (Acts 1969, p. 771), which Act relates to the meetings of boards of registrars of certain counties classified on a population basis.

By Messrs. Hardin and Bassett:

H. 426. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which Act regulates further the conduct of certain municipal elections in certain cities classified on a population basis.

By Messrs. Hardin and Bassett:

H. 427. To amend the title and Section 1 of Act No. 472, H. 596, Regular Session 1967 (Acts 1967, p. 1162), which Act provides for an allowance for clerical assistance for tax assessors in certain counties classified on a population basis.

By Mr. Easters:

H. 474. To further amend the title and Section 1 of Act No. 409, H. 809, Regular Session 1955 (Acts 1955, p. 954), as last amended which provides for the furnishing of equipment, supplies, and additional clerks to the tax assessor and tax collectors of certain counties classified on a population basis.

By Mr. Easters:

H. 476. To further amend the title and Section 1 of Act No. 42, S. 73, Special Session 1964 (Acts 1964, p. 61), which Act provides for regulating the compensation of members of the county commission of certain counties classified on a population basis.

By Mr. Easters:

H. 477. To amend the title and Section 1 of Act No. 361, S. 530, Regular Session 1967 (Acts 1967, p. 922), which Act provides for the creation of departments of engineering for certain counties classified on a population basis.

By Mr. Fite (with notice and proof):

H. 545. Relating to Marion County, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

By Mr. Fite (with notice and proof):

H. 546. To provide for additional expenses for additional travel for the chairman and members of the Marion County Commission and to limit such additional expense payments to \$200.00 per month to the members thereof; and to repeal all laws in conflict herewith, specifically Act No. 65 H 735, Regular Session 1969, and Act No. 360 H 906, Regular Session 1969.

By Messrs. Pruitt and Manley (with notice and proof):

H. 553. Relating to Sumter County: To regulate the amount of and the manner of paying the compensation of the Chief Clerk for the Tax Assessor.

By Messrs. Pruitt and Manley:

H. 554. To repeal Act No. 215, H. 372, approved August 30, 1966, entitled, "An Act To regulate the amount of and the manner of paying the compensation of the Chief Clerks for the Tax Assessors of all counties having populations of not less than 20,000 nor more than 21,000 according to the most recent federal decennial census." (Acts of Alabama 1966, Vol. I, page 267).

By Messrs. Pruitt and Manley (with notice and proof):

H. 555. Relating to Sumter County; providing for the operation of non-profit ambulance services by the municipalities of Livingston and York in said county.

By Messrs. Pruitt and Manley (with notice and proof):

H. 556. Relating to Sumter County; authorizing the Sumter County Commission to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county.

By Messrs. Pruitt and Manley:

H. 557. To repeal Act No. 547, S. 606, approved September 7, 1967, entitled, "An Act To amend Section 28 (1), Subdivision 1, Article 23A, Title 14A of the Code of Alabama, Recomplied 1958, 1965 Cumulative Supplement, as last amended (1961, p. 455, appvd. Aug. 7, 1961), providing for additional clerk in office of judge of probate, and fixing the compensation therefor." (Acts of Alabama 1961, Vol. II, p. 1296).

By Mr. Pruitt:

H. 558. To repeal Act No. 427, H. 928, approved August 7, 1961, entitled, "An Act To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year."

By Messrs. Pruitt and Manley (with notice and proof):

H. 559. Relating to Sumter County; to provide for an additional clerk for the probate judge, and fixing compensation thereof.

By Mr. Fite:

H. 585. To amend Section 2 of Act No. 130, H. 184, Second Special Session 1965 (Acts 1965 Second Special Session, p. 183), which Act provides for the selection of textbooks and instructional material for use in the public schools in counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 611. To amend the title and Section 1 of Act No. 383, H. 882, Regular Session 1963 (Acts 1963, p. 887), which Act provides further for the compensation and expense allowance of county superintendents of education of certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 612. To amend the title and Section 1 of Act No. 86, H. 193, Second Special Session 1965 (Acts 1965, p. 116), which Act provides further for the maintenance and care of ancient cemeteries or burial grounds by municipal corporations in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 613. To amend the title and Section 1 of Act No. 355, H. 357, Special Session 1966 (Acts 1966, p. 496), which Act provides further for official bonds of public officers and employees in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 614. To amend the title and Section 1 of Act No. 649, H. 874, Regular Session 1967 (Acts 1967, p. 1470), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 615. To amend the title and Section 1 of Act No. 650, H. 875, Regular Session 1967 (Acts 1967, p. 1471), which Act provides further for the compensation of jurors in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 616. To amend the title and Section 1 of Act No. 517, H. 881, Regular Session 1963 (Acts 1963, p. 1105), which Act provides that the clerks of county courts or other inferior courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants in felony cases, and issue search warrants.

By Messrs. McCorquodale and Agee:

H. 617. To amend the title and Section 1 of Act No. 356, H. 358, Special Session 1966 (Acts 1966, p. 497), which Act provides further for the duties and fees of sheriffs relative to county or inferior courts in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 618. To amend the title and Section 1 of Act No. 357, H. 359, Special Session 1966 (Acts 1966, p. 497), which Act relates to pistol permits in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 619. To amend the title and Section 1 of Act No. 340, H. 630, Regular Session 1961 (Acts 1961, p. 362), which Act relates to the compensation of members of the county governing body in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 620. To amend the title and Section 1 of Act No. 1121, H. 1110, Regular Session 1969 (Acts 1969, p. 2076), which Act provides further for the insuring of certain public school buildings and property in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 621. To amend the title and Section 1 of Act No. 129, H. 240, Special Session 1966 (Acts 1966, p. 163), which Act provides further for branch banks in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 622. To amend the title and Section 1 of Act No. 384, H. 883, Regular Session 1962 (Acts 1962, p. 887), which act provides an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 623. To amend the title and Section 1 of Act No. 337, H. 627, Regular Session 1961 (Acts 1961, p. 361), which Act provides that clerks of county courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

By Messrs. McCorquodale and Agee:

H. 624. To amend the title and Section 1 of Act No. 841, H. 1111, Regular Session 1969 (Acts 1969, p. 1545), which Act provides further for deputies for the sheriff in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 625. To amend the title and Section 1 of Act No. 339, H. 629, Regular Session 1961 (Acts 1961, p. 362), which Act relates to certain duties of boards of registrars in certain counties classified on a population basis.

By Messrs. McCorquodale and Agee:

H. 626. To amend the title and Section 1 of Act No. 343, H. 633, Regular Session 1961 (Acts 1961, p. 364), which Act provides for the payment of the salaries of certain employees on a semi-monthly basis in certain counties classified on a population basis.

By Mr. Collins, et al:

H. 653. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

By Messrs. Cross and Carter (with notice and proof):

H. 691. Relating to the thirty-sixth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Lawrence County.

By Mr. Wood, et al (with notice and proof):

H. 699. To repeal Act No. 267, H. 597, approved August 24, 1939 (Local Acts 1939, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a department or agency of the state authorized to make such audits.

By Messrs. Agee and McCorquodale:

H. 705. To amend the title and Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), which Act provides further for an expense allowance for members of the governing body of certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 706. To amend the title and Section 1 of Act No. 125, H. 228, Special Session 1966 (Acts 1966, p. 160), which Act re-designates the office of county or deputy solicitor as the office of assistant district attorney in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 707. To amend the title and Section 1 of Act No. 86, H. 117, Regular Session 1963 (Acts 1963, p. 465), which Act provides further for an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 708. To amend the title and Section 1 of Act No. 482, H. 873, Regular Session 1961 (Acts 1961, p. 542), which Act provides further for forest protection districts in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 709. To amend the title and Section 1 of Act No. 32, S. 17, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the employment for a deputy clerk in the office of clerk of the circuit court in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 710. To amend the title and Section 1 of Act No. 343, H. 857, Regular Session 1963 (Acts 1963, p. 834), which Act provides for the appropriation of county funds to municipal industrial development boards within or without certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 711. To amend the title and Section 1 of Act No. 33, S. 18, Special Session 1962 (Acts 1962, p. 43), which Act provides further for the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 712. To amend the title and Section 1 of Act No. 45, H. 68, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further the compensation and allowance of certain election officers in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 713. To amend the title and Section 1 of Act No. 46, H. 69, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for a clerk-hire allowance for certain officers in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 714. To amend the title and Section 1 of Act No. 30, S. 15, Special Session 1962 (Acts 1962, p. 41), which Act provides further for the appointment of a deputy sheriff in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 715. To amend the title and Section 1 of Act No. 100, H. 303, Regular Session 1963 (Acts 1963, p. 464), which Act provides further for the salary or compensation of school bus drivers in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 716. To amend the title and Section 1 of Act No. 85, H. 116, Regular Session 1963 (Acts 1963, p. 464), which Act prescribes the amount of the official bond required of the tax collector in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 717. To amend the title and Section 1 of Act No. 153, H. 541, Regular Session 1965 (Acts 1965, p. 218), which Act provides an expense allowance for members of the board of education in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 718. To amend the title and Section 1 of Act No. 254, H. 763, Regular Session 1969 (Acts 1969, p. 586), which Act provides further for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 719. To amend the title and Sections 1 and 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 720. To amend the title and Section 1 of Act No. 387, H. 969, Regular Session 1969 (Acts 1969, p. 764), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 721. To amend the title and Section 1 of Act No. 603, H. 689, Regular Session 1967 (Acts 1967, p. 1393), which Act provides further for the compensation of the chairman and members of the court of county commissioners of certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 722. To amend the title and Section 1 of Act No. 436, H. 952, Regular Session 1963 (Acts 1963, p. 967), which Act levies a tobacco tax in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 723. To amend the title and Section 1 of Act No. 84, H. 115, Regular Session 1963 (Acts 1963, p. 464), which Act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 724. To amend the title and Section 1 of Act No. 83, H. 114, Regular Session 1963 (Acts 1963, p. 463), which Act provides further for the payment of an expense allowance to the county superintendent of education in certain counties classified on a population basis.

By Messrs. Brassell, Adams and Turnham:

H. 742. Relating to counties having populations of not less than 42,000 nor more than 49,500, according to the most recent federal decennial census; to provide for the payment of an expense allowance to the judge of the juvenile court in any such county.

By Messrs. Brassell, Adams and Turnham:

H. 743. To provide a supplemental allowance for the court reporter of the twenty-sixth judicial circuit and to provide for the payment thereof from the general fund of the county within said circuits.

By Messrs. Adams, Brassell and Turnham:

H. 744. Relating to counties having populations of not less than 42,000 and not more than 49,500; to provide additional compensation to the chief clerks or deputies of the tax assessor and tax collectors in such counties.

By Mr. Adams, et al:

H. 745. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide an expense allowance for the coroners in such counties.

By Messrs. Adams, Brassell and Turnham:

H. 746. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide for the appointment of a part time probation officer for the juvenile court in such counties and to prescribe his qualifications, powers, duties and compensation.

By Messrs. Crowe and Naramore:

H. 750. Providing for the compensation of the County Superintendent of Education in any county having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last federal decennial census.

By Mr. Reid (with notice and proof):

H. 758. To provide that any bank situated in Blount County or having a branch or authorized place of business in Blount County may, with the approval of the Superintendent of Banks, establish, maintain and operate one or more branch banks, offices or places of business in said County.

By Mr. Lang (with notice and proof):

H. 779. To provide clerical assistants to the judge of probate of Greene County and to provide that their compensation shall be paid out of the county treasury.

By Mr. Lang (with notice and proof):

H. 780. To authorize and direct the county commission of Greene County to allow and pay the sheriff of said county four hundred dollars (\$400) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately owned automobile used on official business.

By Messrs. Carter and Cross:

H. 798. Relating to counties having a population of not less than 39,500 nor more than 41,750, authorizing the county governing body to create the position of county consultant, prescribing the qualifications for said office and authorizing the county to furnish said county consultant with an office in the county courthouse.

By Mr. Stokes, et al (with notice and proof):

H. 823. To amend further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

By Mr. O'Daniel (with notice and proof):

H. 528. To amend Section 3 of Act No. 466, H. 1194, approved September 14, 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts and providing for the election of such commissioners; so as to provide further for the election and qualifications of the commissioners.

By Mr. Wilson:

S. 907. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

By Mr. Wilson:

S. 908. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

By Mr. Wilson:

S. 909. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

By Mr. Wilson:

S. 910. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

By Mr. Wilson:

S. 911. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

By Mr. Wilson:

S. 912. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

By Mr. Fine:

S. 913. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, abolishing the office of county or deputy solicitor in such counties and conferring the duties of such office upon the district attorney.

By Mr. Fine:

S. 914. Relating to counties having a population of not less than 23,900 nor more than 24,450 and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

By Mr. Fine:

S. 915. To repeal Act No. 88, H. 208, Second Special Session 1965 (Acts 1965 Second Special Session v. 1, p. 118) an Act to prescribe the duties of the county solicitor or the prosecutor of the inferior courts, including the intermediate courts, of counties having populations of not less than 21,900 nor more than 22,300 according to the most recent or any subsequent federal decennial census.

By Mr. Fine:

S. 917. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation out of funds accruing from the motor vehicle and trailer license taxes; and directing the probate judge to withhold each year \$15,000 from the first moneys collected from the motor vehicle and trailer license taxes to be used for this purpose.

By Mr. Fine:

S. 918. To regulate the compensation of jurors in counties having populations of not less than 23,900 nor more than 24,450.

By Mr. Fine:

S. 919. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

By Mr. Fine:

S. 920. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

By Mr. Fine:

S. 921. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

By Mr. Fine:

S. 922. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

By Mr. Fine:

S. 923. To apply only in counties having populations of not less than 23,900 nor more than 24,450 providing expense allowances payable from the county treasury for the coroners of such counties.

By Mr. Fine:

S. 924. To apply only in counties having populations of not less than 23,900 nor more than 24,450, fixing the compensation of members of the jury commission.

By Mr. Fine:

S. 925. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

By Mr. Fine:

S. 926. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

By Mr. Fine:

S. 927. Relating to counties having a population of not less than 23,900 nor more than 24,450, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

By Mr. Shelby:

S. 928. To authorize and provide for the final record in civil suits at law in the Circuit Court and in any County or Inferior Court of record in all counties having a population of not less than 110,000 and not more than 150,000 inhabitants as shown by the last or any succeeding Federal census.

By Mr. Clark (with notice and proof):

S. 935. To authorize establishment of branch banks in Barbour County.

By Mr. Lybrand:

S. 939. Relating to counties having populations of not less than 100,000 nor more than 110,000 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five.

By Mr. Harris:

S. 942. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

By Mr. Harris:

S. 944. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis.

By Mr. Givhan (with notice and proof):

S. 945. To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

By Mr. Harris (with amendment):

S. 943. To amend the title and Section 1 of Act No. 127, H. 142, Regular Session 1961 (Acts 1961, p. 167) which provides for the election of the municipal governing body in certain counties classified on a population basis.

By Messrs. Wood and Therrell:

H. 879. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an Act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, so as to provide that said license inspector shall be appointed by majority vote of the county governing body and to provide that his salary shall be established by the board of the Mobile County Civil Service System.

By Mr. Baker:

H. 896. To repeal Act No. 826, H. 1065, approved September 8, 1961, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers." (Acts of Alabama 1961, vol. II, p. 1211).

By Mr. Baker:

H. 897. To repeal Act No. 265, H. 46, approved September 15, 1961, entitled, "An Act further regulating the meetings of the county board of registrars in all counties having populations of not less than 38,000 nor more than 45,000." (Acts of Alabama 1961, vol. II, p. 2281).

By Mr. Baker:

H. 898. To repeal Act No. 84, H. 145, approved July 9, 1962, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties." (Acts of Alabama, 1962, Special Session, p. 109).

By Mr. Baker:

H. 899. To repeal Act No. 415, S. 439, approved September 4, 1963, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000, providing for the compensation of members of the jury commissions in such counties." (Acts of Alabama, 1963, vol. II, p. 920).

By Mr. Baker:

H. 900. To repeal Act No. 156, S. 137, approved August 28, 1964, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties." (Acts of Alabama, 1964, Special Session, p. 220).

By Mr. Baker:

H. 901. To repeal Act No. 73, S. 75, approved March 22, 1965, entitled, "An Act authorizing the appointment of juvenile court officers in counties having populations of not less than 38,000 nor more than 45,000, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama, 1965, Special Session, vol. I, p. 88-89).

By Mr. Baker:

H. 902. To repeal Act No. 75, S. 91, approved March 22, 1965, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; fixing the compensation of the chief clerk of the judge of probate of each of such counties." (Acts of Alabama, 1965, Special Session, vol. I, p. 89-90).

By Mr. Baker:

H. 903. To repeal Act No. 825, S. 403, approved September 2, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the county Solicitor in any such county." (Acts of Alabama 1965, vol. II, p. 1547-1548).

By Mr. Baker:

H. 904. To repeal Act No. 445, S. 460, approved August 19, 1965, entitled, "An Act relating to all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retroactive." (Acts of Alabama, 1965, vol. I, p. 648-649).

By Mr. Baker:

H. 905. To repeal Act No. 215, H. 512, approved August 3, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the judge of the county court in any such county." (Acts of Alabama 1965, vol. I, p. 301).

By Mr. Baker:

H. 906. To repeal Act No. 113, H. 54, approved September 30, 1965, entitled, "An Act to regulate the compensation of the members of the county board of education in all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census." (Acts of Alabama, 1965, 2nd Special Session, vol. I, p. 152-153).

By Mr. Baker:

H. 907. To repeal Act No. 137, H. 121, approved May 10, 1967, entitled, "An Act to apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties." (Acts of Alabama, 1967, vol. I, p. 187-188).

By Mr. Baker:

H. 908. To repeal Act No. 12, H. 70, approved June 27, 1967, entitled, "An Act to provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent decennial census." (Acts of Alabama, 1967, vol. I, p. 346).

By Mr. Baker:

H. 909. To repeal Act No. 590, H. 611, approved September 8, 1967, entitled, "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 38,000 nor more than 45,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama, 1967, vol. II, p. 1362-1365).

By Mr. Baker:

H. 910. To repeal Act No. 618, H. 781, approved September 8, 1967, entitled, "An Act relating to Counties having a population of not less than 38,000 nor more than 45,000, and providing for payment of salary to the Judge of the Inferior Court in any such County, and to provide for all fees going to said Court, to be paid into the general fund of such County." (Acts of Alabama, 1967, vol. II, p. 1423).

By Mr. Baker:

H. 911. To repeal Act No. 651, H. 876, approved September 8, 1967, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance for judges of the county court in such counties." (Acts of Alabama, 1967, vol. II, p. 1471-1472).

By Mr. Baker:

H. 912. To repeal Act No. 117, H. 102, approved May 14, 1969, entitled, "An Act to fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census, with retroactive effect." (Acts of Alabama, 1969, Special Session, vol. I, p. 188-189).

By Mr. Baker:

H. 913. To repeal Act No. 821, H. 1066, approved September 12, 1969, entitled, "An Act relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties." (Acts of Alabama, 1969, vol. II, p. 821).

By Mr. Baker:

H. 914. To repeal Act No. 911, H. 1293, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws." (Acts of Alabama 1969, vol. II, p. 1642-1643).

By Mr. Baker:

H. 915. To repeal Act No. 492, H. 1294, approved August 19, 1969, entitled, "An Act relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000." (Acts of Alabama 1969, vol. II, p. 951-952).

By Mr. Baker:

H. 916. To repeal Act No. 840, H. 1109, approved September 12, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1544-1545).

By Mr. Baker:

H. 917. To repeal Act No. 1192, H. 1428, approved September 13, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes." (Acts of Alabama, 1969, vol. III, p. 2230-2231).

By Mr. Baker:

H. 918. To repeal Act No. 590, S. 697, approved August 29, 1969, entitled, "An Act to apply only in counties having populations of not

less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1076-1077).

By Mr. Baker:

H. 919. To repeal Act No. 1084, S. 896, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties." (Acts of Alabama 1969, vol. III, p. 2019-2020).

By Messrs. Hill and Flippo:

H. 1050. Relating to the 11th Judicial Circuit, to extend the powers, authority and duties of the district attorney of such judicial circuit so as to empower, authorize, and require that such district attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing such judicial circuit, creating the office of deputy district attorney for such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of three such deputy district attorneys and for their compensation, and further providing that such compensation shall be paid out of the general fund of the county.

By Messrs. Flippo and Hill:

H. 1051. To repeal Act No. 326, H. 775, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 809), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit."

By Messrs. Flippo and Hill:

H. 1052. To repeal Act No. 134, H. 192, approved, May 9, 1963, Second Special Session 1963 (Acts 1963, p. 320), entitled, "An Act To authorize the court of county commissioners, board of revenue, or like governing body of certain counties, classified on a population basis to prescribe the times when county offices may be closed."

By Messrs. Flippo and Hill:

H. 1053. To repeal Act No. 70, H. 110, approved, April 23, 1963, Second Special Session 1963 (Acts 1963, p. 238), entitled, "An Act Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

By Messrs. Flippo and Hill:

H. 1054. To repeal Act No. 112, S. 3, approved September 15, 1961, Special Session 1961 (Acts 1961, p. 2037), entitled, "An Act Relating to every judicial circuit composed of only one county having two

circuit judges and a population of not less than sixty thousand five hundred and not more than sixty five thousand inhabitants according to the last or any subsequent federal decennial census; extending the powers, authority and duties of the circuit solicitor of any such judicial circuit so as to empower, authorize and require that such circuit solicitor supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy circuit solicitor for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy circuit solicitor and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit."

By Messrs. Flippo and Hill:

H. 1055. To repeal Act No. 143, H. 147, approved, May 14, 1969, First Special Session 1969 (Acts 1969, p. 207), entitled, "An Act Relating to all counties in this state having populations, according to the most recent federal decennial census, of not less than 61,000 nor more than 65,000; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws."

By Messrs. Flippo and Hill:

H. 1056. To repeal Act No. 357, H. 456, approved, August 10, 1965, Regular Session 1965 (Acts 1965, p. 495), entitled, "An Act Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution by city boards of education in such counties for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks."

By Messrs. Flippo and Hill:

H. 1057. To repeal Act No. 717, H. 1220, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1323), entitled, "An Act Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity."

By Messrs. Flippo and Hill:

H. 1058. To repeal Act No. 113, S. 4, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2039), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit."

By Messrs. Hill and Flippo:

H. 1059. To repeal Act No. 206, S. 10, approved, September 15, 1961, Special Session 1961 (Acts 1961, p. 2184), entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 60,500 nor more than 65,000, according to the last or any subsequent federal decennial census, to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties."

By Messrs. Hill and Flippo:

H. 1060. To repeal Act No. 325, H. 774, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 808), entitled, "An Act To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census, to be paid out of the county treasury of such counties."

By Messrs. Hill and Flippo:

H. 1061. To repeal Act No. 583, H. 508, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1080), entitled, "An Act To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized."

By Messrs. Hill and Flippo:

H. 1062. To repeal Act No. 100, H. 108, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 134), entitled, "An Act To authorize and provide for branch banks in all counties having populations of not less than 61,000 nor more than 65,000 according to the most recent federal decennial census, and to repeal conflicting laws."

By Messrs. Flippo and Hill:

H. 1063. To repeal Act No. 201, S. 1, approved July 22, 1969, Regular Session 1969 (Acts 1969, p. 521), entitled, "An Act To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor."

By Messrs. Flippo and Hill:

H. 1064. To repeal Act No. 532, S. 516, approved, August 20, 1965, Regular Session 1965 (Acts 1965, p. 785), entitled, "An Act Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

By Messrs. Hill and Flippo:

H. 1065. To repeal Act No. 595, S. 727, approved, August 29, 1969, Regular Session 1969 (Acts 1969, p. 1082), entitled, "An Act To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary."

By Messrs. Hill and Flippo:

H. 1066. To repeal Act No. 582, H. 530, approved, September 8, 1967, Regular Session 1967 (Acts 1967, p. 1351), entitled, "An Act To provide for an appeal from any decision of a Civil Service Board in cities having a population of not more than 33,000 nor less than 31,500 according to the most recent federal decennial census."

By Messrs. Hill and Flippo:

H. 1067. To repeal Act No. 144, H. 192, approved March 29, 1965, First Special Session 1965 (Acts 1965, p. 195), entitled, "An Act Relating to cities having populations of not less than 31,500 nor more than 33,000; providing an expense allowance for members of the governing body of such cities."

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with amendment):

S. 332. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party".

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lindsey and Givhan:

S. 801. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to prescribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

By Messrs. Stokes, Wood and Downing:

H. 727. To Amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial or cause.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 133. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Vacca and Hawkins:

S. 239. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

By Mr. Cooper:

S. 428. To amend Sections 107 and 176, Title 17 and Section 34 (39), Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

By Mr. Wilson:

S. 451. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

By Mr. Cooper:

S. 810. To amend Section 2, Act 784, 1953 Acts of Alabama (p. 1069) entitled, "An Act to provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To

provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Sections 70, 71, 72, 74 and 77 of Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

By Mr. Drake:

H. 38. To amend Section 35 of Title 8 of the Code of Alabama of 1940 so as to increase the amount of the fine for hunting without a license.

By Mr. Drake:

H. 41. To amend Section 92 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

By Mr. Drake:

H. 40. To amend Section 93 of Title 8 of the Code of Alabama of 1940 so as to change the hours during which hunting on the lands of another with permission is allowable.

By Messrs. Lindsey, Edington, Wilder and Littleton:

S. 802. To transfer certain historic properties owned by the Conservation Department of the State of Alabama to the Alabama Historical Commission.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (with amendment):

H. 198. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative

to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones, Pierce and McLain:

S. 350. To clarify the requirements of law respecting publication of certain municipal ordinances and resolutions; and to validate certain leases heretofore entered into by municipalities, notwithstanding the fact that the ordinance or resolution authorizing any such lease was not published.

By Messrs. Jones, Pierce and McLain:

S. 351. To repeal Act No. 410 adopted at the 1969 Regular Session of the Legislature of Alabama applicable to municipalities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent Federal Decennial Census.

By Messrs. Gilmore, Pierce, Clark, Hawkins, Bailes, Cook, King and Vacca:

S. 383. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

By Messrs. Gilmore, Pierce, Clark, Hawkins, Bailes, Cook, King and Vacca:

S. 384. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

By Mr. Wilson:

S. 467. To further amend Section 105, Title 37, Code of Alabama 1940, as amended, which relates to compensation of commissioners in municipalities organized under the optional form of commission government.

By Mr. Wilson:

S. 468. To further amend Section 73, Title 37, Code of Alabama 1940, as amended, which relates to compensation of commissioners in municipalities organized under the commission form of government.

By Mr. Lybrand:

S. 620. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edington (with amendment):

S. 848. Relating to Public Health; requiring fluoridation of municipal water supplies; prescribing the powers and duties of the State Board of Health in relation thereto.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cauthen, et al:

H. 278. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

By Mr. Cauthen, et al:

H. 279. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provisions thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

By Messrs. Agee and McCorquodale:

H. 470. To authorize incorporated municipalities to employ on a part-time basis regular deputy sheriffs to serve as policemen.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake et al (with substitute):

H. 45. To amend Title 2, Section 660, Code of Alabama 1940, as last amended, to increase the number of farmer members on the State Soil and Water Conservation Committee from 3 to 6 and to provide that no more than 1 farmer member may be appointed from each of the six U. S. Department of Agriculture soil conservation areas of the state.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake, et al (with amendment):

H. 50. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$135,000,000 aggregate principal amount of bonds in addition to those heretofore authorized to be issued by the Authority; to provide for the method of execution of the said bonds and other details pertaining thereto; to provide that the bonds shall be sold only at public sales and to make provisions respecting such sales, and the application of the proceeds from the sale or sales thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the Authority appropriated and pledged in this act; to provide that the said bonds while not registered shall constitute negotiable securities even though payable from a limited source; to provide that bonds at any time issued by the Authority and by Alabama Highway Finance Corporation, or either of them, and at the time outstanding may be refunded by the issuance by the Authority of refunding bonds and that the limitation on the amount of the bonds issued by the said Authority under this act shall not apply to refunding bonds issued under this act; to provide that the bonds and the income therefrom shall be exempt from taxation; to provide that the bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of the bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that if any portion of this act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

By Messrs. Gafford and Cherner (with amendment):

H. 143. To regulate the rate of compensation by manufacturers of motor vehicles for warranty work performed by said manufacturers' dealers or representatives; and to provide penalties for violations.

By Mr. McCorquodale, et al (with amendment):

H. 675. Defining abandoned motor vehicles, authorizing peace officers to remove abandoned motor vehicles from public streets, roads, highways and other public property; to provide a method for sale of abandoned motor vehicles; to provide for the distribution of the proceeds of the sale of abandoned motor vehicles and for related purposes.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hale:

H. 725. To regulate further license plates or tags for motor vehicles, directing the commissioner of revenue to design license plates or tags, insofar as practicable, so as to adapt to Alabama the registration (license plate) numbering system developed by the American Association of Motor Vehicle Administrators.

By Mr. Wilson:

S. 545. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation.

By Mr. Wilson:

S. 546. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

By Mr. Wilson:

S. 547. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

By Mr. Wilson:

S. 548. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any citizen of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

By Mr. Wilson:

S. 549. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

By Mr. Cooper:

S. 657. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. King, Cook, Bailes, Vacca, Dominick and Hawkins (with notice and proof):

S. 508. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

By Messrs. King, Hawkins, Gilmore, Cook and Vacca:

S. 509. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. King, Hawkins, Dominick, Vacca and Bailes (with notice and proof):

S. 649. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.)

establishing the "Criminal Court of Jefferson County," as heretofore amended.

By Mr. Boutwell, et al:

H. 684. To authorize the tax assessor of any county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to make or to have made photographic reproductions of books, records, papers or other documents, all of which are herein called "documents", required to be maintained or kept by such tax assessor; and to authorize such tax assessor to dispose of any such documents so photographed after the expiration of two years from the receipt of the same; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself, and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs; to authorize such tax assessor to make copies of such documents and to furnish such copies to the public, together with his certificate as to the authenticity and correctness of the same, upon the payment to him of the fee therefor established by the governing body of the county; to authorize the governing body of the county to establish the fee or fees which the tax assessor shall charge for the aforesaid certified copy; to provide for the repeal of all laws in conflict with this Act; and to provide for the severability of the provisions of this Act in the event that any part is declared to be null or void; and to provide for the effective date of this Act.

By Mr. Cherner, et al:

H. 686. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled:

"To provide that any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

By Mr. Doss, et al:

H. 795. To amend the title and Section 1 of Act No. 292 of the Regular Session of the Legislature of Alabama of 1955, approved August 26, 1955, (Ala. Acts, 1955, p. 685 and 686), which authorized any county having a population of 500,000 or more, according to the last or any subsequent federal census, to appropriate funds to any public corporation created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947, (Ala. Acts, 1947, p. 81 et seq.), so that the said title of said Act No. 292, as amended, will recite that the said Act authorizes any such county to improve, prepare, beautify and equip land owned by any such public corporation and so that Section 1 of said Act No. 292, as amended, will authorize any such county to improve, prepare, beautify and equip land owned by any such public corporation.

By Mr. Parker (H), et al (with notice and proof):

H. 1090. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary lines of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

BILL REPORTED AND RE-REFERRED

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following Bill, and ordered same returned to the Senate with the recommendation that it be re-referred, to-wit:

H. 1033. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1033, re-referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Roberts, Erdreich, Boutwell, Grainger, Doss, Burgess, Merrill, Cauthen, Benton, Kinsey, Barkett, Agee, Chesnut, King, Downing, Crowe, Lutz, Ellis, Carnes, Bank, Hobbie, Culver, Easters, Stewart, Edwards, Nettles, Cottingham, Lang, Hearn, Baker, Owens, Turner, Cross, Slate, Naramore, Coshatt, Grey (D), Mims, Brassell, Reid (R), Jones (F), Adams, Falkenburg, St. John, Timmons, Stokes, Stubbs, Headley, Reed (T), Gray (F), Flippo, Hill, Goodwin, Wynot, Hale, Wood, Taylor, Harris, Drake, Turnham and Gloor:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 702. To the Committee on Business and Labor.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 949. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Be It Enacted by the Legislature of Alabama:

Section 1. An additional assistant district attorney shall be appointed by and shall serve at the pleasure of the district attorney of the Twenty-third Judicial Circuit, in the same manner as all other assistant district attorneys of said circuit. The additional assistant district attorney provided for by this section shall have and exercise all the jurisdiction, powers, rights, and authority conferred upon other assistant district attorneys of this state. Such assistant district attorney shall be assigned by the district attorney of the Twenty-third Judicial Circuit to prosecute all criminal, quasi-criminal, juvenile delinquency and child custody cases arising in or returnable to the Family Court Division of the Circuit Court of said circuit. And, further such additional assistant district attorney shall have and exercise the jurisdiction, power and authority to initiate cases in and issue warrants returnable to said court upon proper affidavit or petition as required by law. Such additional assistant district attorney shall be paid by the State of Alabama an annual salary of forty-two hundred (\$4,200) dollars, payable as the salaries of other officers are paid and in addition to said salary, shall receive a county supplement to be determined in the same manner as all other assistant district attorneys of said circuit.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 14, 21, 28, and July 5, 1971.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 5 day of July, 1971.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Mr. Wilson:

S. 950. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 951. To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
WALKER COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Cordova, Walker County, Alabama be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Cordova and in addition thereto the following described territory, to-wit:

The hereinafter described property situated in Section 9 and Section 10 Township 15 South, Range 6 West, County of Walker, State of Alabama, to-wit:

The point of beginning is the existing corporate limit line of the City of Cordova at its intersection with the Warrior River and the new Cordova-Dora Road, said point being situated on the southerly right-of-way line the said new Cordova-Dora Road; at the existing corporate limits line of the City of Cordova and from said point thence run in an easterly direction along the southerly right of way line of the said new Cordova-Dora Road a distance of 3500 feet more or less to a point being at the intersection with the southerly right-of-way line of the St. Louis-San Francisco Railroad Company; from said point thence run in the westerly direction along and on the southerly right-of-way line of the St. Louis-San Francisco Railroad Company a distance of 3300 feet more or less to the existing corporate limit line of the City of Cordova at its intersection with the Southerly right-of-way of said St. Louis-San Francisco Railroad Company and the Warrior River; thence running a southerly direction along the existing corporate limit line and parallel to the Warrior River a distance of 500 feet more or less to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law."

**STATE OF ALABAMA
COUNTY OF WALKER**

Before me, the undersigned authority in and for said State and County, this day personally appeared Jacqueline Gober, Bookkeeper of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: June 28, 1971, July 5, 1971, July 12, 1971, July 19, 1971.

**JACQUELINE GOBER,
The Daily Mountain Eagle.**

Sworn and subscribed to before me, This 19 day of July, 1971.

**R. W. BOTELER, JR.
Notary Public.**

By Mr. Wilson:

S. 952. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Committee on Business and Labor.

By Mr. Carr:

S. 953. Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register votes on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines. Be it enacted by the Legislature of Alabama:

Section I. The County governing body shall provide voting machines for all elections, and shall determine the number of voting machines deemed necessary to serve adequately the voters at an election, taking into consideration the nature or character of the election; provided, however, that at each election there shall be maintained at each voting place at least one voting machine for each six hundred registered electors, or fraction thereof, residing in the territory served by the voting place designated for said voting place. Except as otherwise provided, in Section 110 of Title 17 CODE OF ALABAMA 1940 as amended, paper ballots shall not be used in elections at any voting place.

Section II. No elector shall vote at any voting place other than the voting place of which he is a qualified elector, but any elector whose name appears on the qualified voter's list at a voting place may vote on any voting machine maintained at such voting place, upon presentation of the identification card issued to him by an election officer serving at such voting place and upon signing the poll list maintained at the voting machine at which he proposes to vote. The voting machines at any such voting place shall be numbered consecutively beginning with number 1, and each machine shall display a card indicating the number of that machine. The numbers on such cards shall be clearly visible from the registration table.

Section III. (a) Subject to the provisions of subsection (b), the county governing body of the county shall have the authority to designate a voting place in each ward and precinct within the county and shall have the authority to consolidate the polling places to make maximum use of voting machines and to facilitate their use. The order so designating voting places shall state the location of the voting place or places within the ward or precinct for which said voting place is designated. A copy of this order shall be posted at each courthouse door.

(b) Except as herein expressly provided, in designating voting places and consolidation of voting places, the county governing body shall be subject to all other laws applicable to the governing body of a county regarding the change or establishment of the districts of a precinct, including but not limited to the provisions of Article 6, Chapter 1, Title 17, CODE OF ALABAMA 1940 as amended.

Section IV. A custodian of voting machines shall be appointed by a committee composed of the senior Circuit Judge, who shall also be the Chairman, the Probate Judge, Tax Collector, Sheriff, and the County Judge. Such custodian of voting machines shall have attended a recognized school that teaches the operation and handling of voting machines, or in lieu thereof must have had at least three years experience in the operation and handling of voting machines. The custodian shall be responsible for performing all duties as set out in Section 115 of Title 17, CODE OF ALABAMA 1940 as amended. The custodian of voting machines shall receive a salary not to exceed \$5,000 per annum payable in equal monthly installments and before entering upon his duties shall be bonded in the sum of \$10,000 for the faithful performance of his duties as are other public officials.

Section V. Any candidate in an election shall have the right to designate one representative to be present at each polling place, and such representative shall have the right to observe the conduct of the election as a watcher at such polling place as provided by law, but shall also have the right to observe and be present at the opening of each voting machine when the totals of such machines are tabulated by the election officials. Such representative shall be appointed as provided by law.

Section VI. Any candidate in an election shall have the right to make demand in writing to the body which, under the general provisions of law, now have charge of and control over ballot boxes, for an order to break the seals of voting machines for the purpose of recanvassing the vote should same become necessary, whereupon all other articles in the "Act to regulate and control primary elections for the nomination by political parties of candidates for public office" and in the "Election Code" shall be followed in making such recanvass and the machine shall be resealed as therein provided. Such demand in writing shall be made not later than ten days subsequent to such election.

Section VII. All general, local, or special laws, or parts of such laws, which conflict with this Act are hereby repealed.

Section VIII. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of Competent jurisdiction to be invalid, unconstitutional, or otherwise unlawful, such judgement shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section IX. This Act shall become effective upon its passage by the Legislature and approved by the Governor, or upon its otherwise becoming law.

PUBLISHER'S AFFIDAVIT

Notice—Concerning Voting Machines, etc., in Marshall County.

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated July 1, 5, 15, 19 respectively, of which said notice a copy of the same being hereto attached and made a part of, this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 27th day of July 1971.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1972.

By Mr. Carr:

S. 954. Relating to Marshall County; regulating the place for holding of Circuit and County Courts; to provide a central location for the maintenance of all Circuit and County Court records by the Circuit and County Court Clerk.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of this state for the purpose of enactment into law:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; regulating the place for holding of Circuit and County Courts; to provide a central location for the maintenance of all Circuit and County Court records by the Circuit and County Court Clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. The judges of the Circuit Court and the County Court shall have the authority to hold all civil and criminal sessions, at their discretion, in the Guntersville or Albertville Division of said Courts without regard to boundary.

Section 2. All Circuit Court and County Court records shall hereafter be maintained by the Circuit Clerk and County Clerk in the Courthouse at the County seat at Guntersville, Alabama. Whenever

any Circuit Judge or the County Judge shall hold Court in the Albertville Division, it shall be the duty of the Circuit Court Clerk or County Court Clerk to transport and have available for the Court all records needed by said Courts for the holding of such Court sessions in the Albertville Division.

Section 3. All general, local, or special laws, or parts of such laws, which conflict with this Act are hereby repealed.

Section 4. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of Competent jurisdiction to be invalid, unconstitutional, or otherwise unlawful, such judgement shall not affect, impair, or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgement shall be granted.

Section 5. This Act shall become effective upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

Sworn to and subscribed before me 27th day July, 1971.

OSCAR B. HARBIN,
Notary Public.

My Commission Expires October 1, 1971.

By Mr. Carr:

S. 955. Relating to Marshall County; for the County Commission of Marshall County to employ a County Engineer, and the manner in which he shall be chosen, to fix and designate the duties, powers, and authority of said County Engineer, and to fix the amount of his bond, provide for the approval of same, and the payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the County Engineer as the person to make requisition for road supplies and equipment; to provide for the setting aside of road funds by the Commission, and for the banking and expenditure of the same; to provide for emergencies; to grant the Commission power and authority to appropriate and set aside a contingent fund, and the purposes for which said contingent fund may be used; to limit the amount of said fund, provide the manner in which said contingent fund may be appropriated and set aside; to repeal all laws in conflict with this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows, will be introduced in the State Legislature for the purpose of enactment into law:

Relating to Marshall County; for the County Commission of Marshall County to employ a County Engineer, and the manner in which he shall be chosen, to fix and designate the duties, powers, and authority of said County Engineer, and to fix the amount of his bond, provide for the approval of same, and the payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the County Engineer as the person to make requisition for road supplies and equipment; to provide for the setting aside of road funds by the Commission, and for the banking and expenditure of the same; to provide for emergencies; to grant the Commission power and authority to appropriate and set aside a contingent fund, and the purposes for which said contingent fund may be used; to limit the amount of said fund, provide the manner in which said contingent fund may be appropriated and set aside; to repeal all laws in conflict with this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Commission shall employ a County Engineer who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for County Engineers under the General Laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Marshall County public roads, highways, bridges, and ferries, and shall during his employment reside in Marshall County, Alabama.

Section 2. Said County Engineer shall be appointed by the Commission from a nomination made by the State Highway Director. If said nomination is not acceptable to said Commission, the State Highway Director shall be requested to make additional nominations. Should the State Highway Director refuse, or fail to make nominations, the Commission may fill the position of County Engineer with any person who has the qualifications herein set out.

Section 3. It shall be the duty of the said County Engineer, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges, and ferries of Marshall County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to perform such engineering and surveying maps as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the County Highway system; (4) to build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the Commission; (5) it shall be his further duty, in-so-far as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. The said County Engineer is hereby designated as the person authorized to make written requisition upon the Commission or its duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Marshall County. No articles, materials, supplies, machinery or equipment necessary for the mainten-

ance and construction of roads, bridges or ferries shall be leased or purchased by the Commission without written requisition of the County Engineer.

Section 5. It shall be the duty of the Commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, and ferries, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants. Provided, however, that should the Commission refuse or fail to fix said scale of wages or salaries, said engineer shall request the State Highway Director to fix the same, and the wages or salaries so fixed by the State Highway Director shall not be exceeded in the employment of said labor and assistants.

Section 6. The salary of said County Engineer shall be fixed at an annual salary not exceeding that paid to county engineers in other Alabama counties which have populations of not less than 50,000 or more than 55,000, and with an \$1,200 expense account, payable in equal monthly installments from the road and highway funds of Marshall County.

Section 7. Before entering upon his duties, the said County Engineer shall make and enter into a surety bond in the amount of ten thousand (\$10,000) dollars, payable to Marshall County, conditioned for the faithful discharge and performance of his duties as such Engineer, and for the faithful accounting of all monies or property of said County, which may come into his possession or custody; said bond to be executed by a surety company authorized and qualified to do business in Alabama, and to be approved by the Chairman of the Commission; the premiums thereon to be paid by the County.

Section 8. The Commission shall furnish the County Engineer with an office at the Courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 9. All road tools, machinery, supplies and equipment necessary for the maintenance and construction of Marshall County roads shall be pooled and stored in a central place and shall be assigned to jobs where needed by the County Engineer. The County Engineer shall be the custodian of all road tools, machinery, supplies and equipment of Marshall County, and he shall be accountable for the same at all times. The Commission shall furnish the necessary storage facilities at the county seat in which to keep said tools, machinery, supplies and equipment; and the County Engineer shall keep on file in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Marshall County.

Section 10. The authority of said County Engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, and ferries of Marshall County as may be set aside and appropriated by the Commission, as hereinafter provided; it shall be the duty of said Commission at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges, and ferries of Marshall County for the current fiscal year, beginning October 1, which said amount, other than the salary of said County Engineer and his necessary expenses, shall not

be exceeded by him in building, maintaining, and constructing public roads, bridges, and ferries in Marshall County during said period; provided, however, that said Commission is authorized from time to time within any such period, to increase the amount so allowed to be expended by said County Engineer during said period, when such authorization will not conflict with provisions of the General Law under the Budget Act, Title 12, section 74 of the Code of Alabama 1940 as amended and, provided, further that if such funds are presently available, and have not heretofore been set aside by the present Commission of Marshall County, immediately upon the passage and approval of this Act, it shall be the duty of the Commission to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1971, as hereinabove provided for.

Section 11. All monies accruing to Marshall County for the purpose of constructing, maintaining and repairing Marshall County roads, bridges and ferries shall be kept on deposit in one account in only one Marshall County bank at any one time. Said funds shall be appropriated from time to time by the County Commission as provided by this act.

Section 12. The County Engineer shall make written requisition to the Chairman of the Commission for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges, and ferries of Marshall County. Said requisitions shall be filed and presented by the Chairman to the Commission at its next meeting, for the approval of the Commission. Provided, however, that the Chairman shall have full power and authority to make said purchases without first obtaining the approval of the whole Commission only if the delay caused by the hereinabove procedure, might, in his judgement, cause an unnecessary and harmful interruption in the operation of the County road system.

Section 14. In the event an emergency should arise, in which it would be impossible for the Commission to employ an engineer, as hereinabove provided for, then, in that event the commission shall employ a competent Road Supervisor who need not be an engineer but, when so employed, he shall have all of the duties and authority of said engineer, and be subject to the provisions of this act; but an emergency shall not exist so long as the State Highway Director can nominate an engineer who will accept employment by said Commission under the terms of this Act, it being the intention of this Act to provide that, when County roads are to be maintained or constructed in said county, the supervision thereof shall be either under a County Engineer, as hereinabove provided for, or, by a Road Supervisor, who is not a member of the Commission.

Section 13. It shall be the further duty of the County Engineer to inspect all material, machinery, equipment, and supplies purchased by Marshall County for use on public roads, bridges, and ferries, when the same is delivered, and the same shall not be accepted and paid for without them first having been approved by him.

Section 15. The Commission shall have the power, and is hereby authorized to appropriate, out of any monies in the County treasury, not otherwise appropriated, and to expend not exceeding the sum of \$2,000 per annum for any purposes, not otherwise provided by law, which in their judgement are worthy and for the best interest of the County, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, that the expenditures herein provided shall first be authorized by the Commission, and spread upon the minutes;

and provided, further, that not more than \$3,000 minutes; and provided, further that not more than \$2,000 shall be appropriated and expended in any one year, under this section, and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeded as will, together with the sum so remaining unexpended, bring the contingent Fund up to the sum of \$2,000.

Section 16. All laws, and parts of laws, in conflict with the provisions of this Act are hereby repealed.

Section 17. Should any section, clause, or part of this Act be declared invalid, it shall not affect any part thereof.

Section 18. This Act shall become effective upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA MARSHALL COUNTY

Before the undersigned authority personally appeared B. B. Sanford, who first being duly sworn deposes and says that he is the OWNER of THE LEADER DISPATCH, a Newspaper published in Marshall County, Alabama; that he has published the notice in the above captioned cause in said newspaper for 4 successive issues of said paper, published in the issue of said paper dated 7-8, 7-13, 7-20, & 7-27 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

B. B. SANFORD.

Sworn to and subscribed to before me this 27, day of July, 1971.

WILLIOUSE JENKINS,
Notary Public.

My Commission Expires Jan. 6, 1975.

By Mr. Malone:

S. 956. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Committee on County Government.

By Mr. Givhan:

S. 957. Relating to taxation of the Farmers Market Authority: To exempt from ad valorem taxes all property of such authority which is leased to the State of Alabama; and to exempt such authority from all franchise taxes relating to or growing out of the ownership or rental of such property.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 958. To make an appropriation from the Alabama Special Educational Trust Fund for capital improvements at Auburn University in Auburn and Auburn University at Montgomery.

Committee on Finance and Taxation.

By Mr. Owen:

S. 959. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to authorize the governing body to appropriate a sum not to exceed fifteen hundred dollars (\$1500) annually for the use of the County Cattlemen's Association in promoting their programs.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 960. Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide for the position of Secretary-Librarian for the circuit judge and district attorney to be quartered in the Court-house and the compensation therefor.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 961. Relating to all counties having a population of 57,000 and not more than 61,000, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 962. Relating to Wilcox County; authorizing additional compensation for registrars.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County authorizing additional compensation for registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The Wilcox County Commission may, in its discretion, provide registrars five dollars per day as compensation payable from

county funds for each day the board is in session on the first and third Monday of each month, provided that the total amounts payable from county funds under this Act shall not exceed a total of one hundred twenty dollars per annum for each registrar. The additional per diem pay provided for in this Act shall be supplemental to the compensation payable by the State.

Section 2. This act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. HOLLIS CURL, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the WILCOX PROGRESSIVE ERA, a newspaper of general circulation published in WILCOX County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 1, JULY 8, JULY 15, and JULY 22, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me July 22, 1971.

GLEND A. CURL,
Notary Public.

By Mr. King:

S. 963. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. King:

S. 964. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

Committee on Judiciary.

By Mr. Fine:

S. 965. Relating to domestic stock insurance companies and to give the right to domestic stock insurance companies to merge, consolidate with domestic or foreign stock insurance companies or exchange stock with domestic or foreign corporations; to provide a procedure for such merger, consolidation or exchange of stock; to require approval of the board of directors and to require approval of the superintendent of insurance and approval of stockholders; to provide rights for dissenting stockholders; to provide for public hearings by the superintendent of insurance, and to set forth the effect of such merger, consolidation or exchange of stock.

Committee on Judiciary.

By Mr. Dominick:

S. 966. Relating to counties having a population of 600,000 or more according to the most recent federal decennial census; authorizing the judicial commissions of such counties to make provisions for employing experts for the purpose of conducting a survey of local court administration.

Committee on Local Legislation No. 2.

By Mr. Hammond:

S. 967. To levy an additional privilege or license tax on persons issuing or selling trading stamps to merchants and to provide for the distribution of the proceeds of the tax.

Committee on Finance and Taxation.

By Mr. Owen:

S. 968. To amend Section III of Act No. 399, Regular Session 1969, (Acts 1969 p. 773) which act regulates surface mining, by eliminating sand and gravel operations from the definition of "surface mining" in said section.

Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 123. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, August 3, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 123, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Messrs. Pierce, Carr, Bailes, Branyon, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder, Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. EXTENDING A WARM ALABAMA WELCOME TO MISS DEBBY DANE, GOOD WILL AMBASSADOR FOR WALT DISNEY WORLD

WHEREAS, in October of this year one of the outstanding vacation attractions in the world will be opened to the public near Orlando, Florida—Walt Disney World, developed as a sister entertainment to Disneyland; and

WHEREAS, This immense complex will greatly increase the tourist industry in our sister state of Florida, and that of Alabama as well; and

WHEREAS, This giant stride in the direction of wholesome family entertainment is a welcome change in these days of X-rated movies, drug abuse and the "new morality"; and

WHEREAS, Miss Debby Dane the 19-year-old official ambassador from Walt Disney World, will be in Alabama on Friday, July 30, 1971, on an official visit to promote this newest and greatest of Walt Disney's enterprises; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature does cordially welcome Miss Debby Dane to Alabama, and wishes her well during her good-will tour of the states;

BE IT FURTHER RESOLVED That the forthcoming opening of Walt Disney World in Orlando is anticipated with great pleasure, and, speaking for the people of Alabama, we pledge our enthusiastic support.

BE IT FURTHER RESOLVED That a copy of this resolution be presented to Miss Debby Dane.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 190. To make an appropriation for the purpose of purchasing Free Textbooks for the fiscal year ending September 30, 1971.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 645. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; designating the funds from which the annual salary of the Sheriff shall be payable.

Also:

H. 872. Relating to Pike County; to authorize the Court of County Commissioners of Pike County to provide a Deputy Tax Assessor, a Deputy Tax Collector, a Deputy Circuit Clerk, a Probate Clerk, and a Secretary for the Inferior Court of Pike County; and to provide for their appointment, duties and compensation; to repeal Act No. 259, Regular Session 1951 as amended; Act No. 258, Regular Session 1951 as amended; Act No. 148, Regular Session 1955 as amended; Act No. 332, Regular Session 1961 as amended and all laws and parts of laws in conflict with the provisions hereof.

Also:

H. 873. Relating to Pike County: to provide for the payment of an expense allowance to members, including the Chairman or Ex Officio Chairman, of the Court of County Commissioners.

Also:

H. 677. Relating to Covington County, Alabama, to provide that any regular Circuit Judge of the Circuit Court of Covington County, Alabama or any other Circuit Judge with like authority serving said county may appoint two additional bailiffs to serve the Circuit Court of Covington County, during any session thereof; to prescribe the pay for the service of said bailiffs and to provide for the effective date hereof.

Also:

H. 678. Relating to Covington County, Alabama and the method of giving notice of the requirement of attendance of Jury service in Covington County, Alabama.

Also:

H. 679. Relating to Covington County, Alabama; to regulate further the excusing of persons from jury service in the Circuit Court of Covington County, Alabama; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 579. To repeal Act No. 837, H. 1106, approved September 12, 1969, entitled, "An Act relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day." (Acts of Alabama, Regular Session, 1969, p. 1542).

Also:

H. 526. Relating to Calhoun County; providing for meetings of and clerical assistance to the board of registrars of Calhoun County.

Also:

H. 527. Relating to the jury commission in all counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census, providing for the number of meeting days of the commission and the compensation of its members.

Also:

H. 681. Relating to Covington County, Alabama, relieving the Clerk of the Circuit Court, Covington County, Alabama and the Register of the Circuit Court of Covington County, Alabama from subscribing to and filing weekly newspaper published in said county.

Also:

H. 682. Relating to Covington County, Alabama; to allow prospective jurors to be excused without the presence of the defendant in the Circuit Court of Covington County, Alabama.

Also:

H. 893. To provide that certain employees of Etowah County or the Etowah County Board of Education shall not be dismissed from employment or reduced to status as part-time employees except for certain causes; relating to the rights of employees dismissed or reduced to part-time status; establishing the Etowah County Personnel Board, granting the Board certain authority, providing for the compensation and duties of its members, and directing and authorizing the governing body of Etowah County to provide the members of the Board with reasonable and necessary legal counsel.

Also:

H. 525. To provide for an expense allowance for the presiding judge of all Judicial Circuits in this State composed of three (3) counties with two (2) circuit judges, and having a total population of not less than 60,000 or more than 70,000 according to the last or any subsequent Federal Decennial Census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 110. Honoring Dr. Alston Callahan for Services and outstanding work done in Birmingham, Alabama.

Also:

H. J. R. 111. Relative to the naming of any new, reconstructed or renovated bridge or bridges across the Tombigbee River at Moscow.

Also:

H. J. R. 114. Naming the bridge on Cullman County Road Number 15 which crosses L. M. Smith Lake in honor of Mr. John Phillips.

Also:

S. J. R. 61. Mourning the death of Bruce Henderson.

were again read and, on motion of Mr. Hawkins, were adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 37. Complimenting Chilton County on its annual Peach Festival and thanking Senator Obie Littleton for inviting the Legislature.

Also:

S. J. R. 58. Relative to expressing our personal and collective interest in the Ohio based Foremost Furniture Company's desire to locate in the Southeastern United States and urge them to investigate Alabama.

JOHN W. PEMBERTON,
Clerk.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

And said Bill, H. B. 138, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Littleton	Register
Cook	Givhan	McLain	Shelby
Cooper	Hammond	Malone	Vacca
Dominick	Harris	Noonan	Weaver
Dozier	Hawkins	O'Bannon	Wilder

—31

Nays:

—0

The Senate then proceeded to the second item of Unfinished Business for today which was the Bill:

S. 202. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

The question was on the substitute, as amended, for the Bill, S. B. 202, which said substitute and amendment are set out in the Journal of the Senate for the Twenty-first Legislative Day.

Mr. O'Bannon offered the following amendment to the substitute as amended, to-wit:

Amendment to Substitute for S. B. 202:

Amend the last sentence of Section 9 by striking out the following words and figures: "as follows: the sum of the accumulated annual renewal fees for the elapsed period, plus".

Which was adopted.

Mr. O'Bannon then offered the following amendment to the substitute as amended, to-wit:

Amendment to Substitute for S. B. 202:

Amend Section 2, fifth paragraph of said Bill by striking out the last sentence of said paragraph which reads as follows: "No more than one apprentice shall be employed for such registered barber in any one shop."

Which was adopted.

Mr. O'Bannon then offered the following amendment to the substitute, as amended, for S. B. 202, to-wit:

Amendment to Substitute for S. B. 202

Amend Substitute Senate Bill 202 by striking therefrom in Section 18 the words "Houston and Dale".

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 202, was then adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington				—32

Nays: —0

And said Bill, S. B. 202, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington				—32

Nays: —0

The Bill:

H. 330. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

was taken up.

The Standing Committee on Business and Labor reported the following amendment to the Bill, H. B. 330, to-wit:

AMENDMENT TO H. B. 330

Amend House Bill 330 as follows:

(1) In Section 3, delete in the third paragraph, first sentence the words "at the time of the passage of this Act."

(2) In Section 3, delete in the fourth paragraph the words "but shall be subject to the inspection and sanitation requirements, the overall requirements specified by this Act and rules set forth by the Board of Barber Examiners relating to barber colleges."

(3) In Section 7, delete in the third paragraph the words and figures "1500 hours" and in lieu thereof insert the words and figures "1000 hours" and also delete therefrom the words "completed within 12 months, with no more than 8 hours to any working day, subject

to the Board's authority to determine by regulation the days and hours of school within these limits."

(4) In Section 7, in the third paragraph add the following: "The Board shall approve all hours of instruction given by any of the State educational institutions and schools."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—33

Nays:

—0

Mr. O'Bannon offered the following amendment to the Bill, H. B. 330, as amended, to-wit:

AMENDMENT TO H. B. 330, AS AMENDED

Amend the next to the last sentence of Section 9 by striking out the following words and figures: "as follows: the sum of the accumulated annual renewal fees for the elapsed period, plus".

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine				—32

Nays:

—0

Mr. O'Bannon then offered the following amendment to the Bill, H. B. 330, as amended, to-wit:

AMENDMENT TO H. B. 330, AS AMENDED

Amend Section 2, fifth paragraph of said Bill by striking out the last sentence of said paragraph which reads as follows: "No more than one apprentice shall be employed for such registered barber in any one shop."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—33

Nays: —0

Mr. O'Bannon then offered the following amendment to the Bill, H. B. 330, as amended, to-wit:

AMENDMENT TO H. B. 330, AS AMENDED

Amend said Bill by adding thereto the following: "Section 18. The provisions of this Act shall not apply to Limestone, Morgan, Conecuh or Wilcox Counties."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne	O'Bannon		—30

Nays: —0

Mr. Cook offered the following amendment to the Bill, H. B. 330, as amended, to-wit:

AMENDMENT TO H. B. 330, AS AMENDED

Amend Section 15 of House Bill 330 to read as follows:

"Section 15. This act shall not repeal any provisions of the public health laws, the state sanitary code, or any local acts, or general acts of local application, or municipal ordinances, where the provisions thereof have standards, qualifications and requirements for the practice of barbering, the operation of barber shops or barber colleges equal to or higher than those provided herein, and such laws, codes, acts, or ordinances shall remain in their entirety in full force and effect."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Horne	Noonan	
Bailes	Foshee	Jones	O'Bannon	
Branyon	Gilmore	King	Owen	
Carr	Givhan	Littleton	Register	
Cook	Hammond	Lybrand	Shelby	
Cooper	Harris	McLain	Vacca	
Dominick	Hawkins	Malone	Wilder	
Edington				—28

Nays: —0

And said Bill, H. B. 330, as thus amended, was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington				—32

Nays: —0

BILL RECONSIDERED

On motion of Mr. O'Bannon, the Senate reconsidered the vote by which the Bill, S. B. 202, as amended, was passed.

On motion of Mr. O'Bannon, further consideration of the Bill, S. B. 202, as amended, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1002. To alter, rearrange and extend the boundary lines of the Town of Hollywood, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 62. Extending a warm Alabama welcome to Miss Debby Dane, good will Ambassador for Walt Disney World.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 489. To create the Alabama State Docks Authority; providing for its powers, its Board of Directors and its personnel; transferring to the Authority all the rights, authorities, funds, property, books, records and effects of the Alabama State Docks Department, abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act No. 103 of the General Acts of Alabama, 1955, and Act No. 302 of the Special Sessions of 1961, General Acts of Alabama, 1961, pages 2362-2363, laws or parts of laws conflicting with its provisions; amending Section 9 and Section 13 of Title 38 the Code of Alabama, 1940, as amended, and providing for an effective date of this Act.

was taken up.

The Standing Committee on Seaports reported the following amendment to the Bill, S. B. 489, to-wit:

COMMITTEE AMENDMENT TO S. B. 489

Amend Section 3 of said bill by adding, after the phrase "3. One member from each Congressional District of the State as such districts are now set up", the following:

4. One member from the State Senate and one member from the State House of Representatives, each to be elected by his respective house of the Legislature, to serve during his term of office and until his successor shall have been elected and qualified.

Further amend S. B. 489 as follows:

Amend Section 3, Second paragraph, line 18 after the words "continuance in office" by inserting the following: "Except two (2) persons thereon may be members of the Alabama Legislature as above provided."

Further amend S. B. 489 as follows:

Amend S. B. 489 by striking therefrom Section 9 and inserting in lieu thereof the following:

"Section 9. Subject to the limitations herein prescribed the Authority may appoint such officials and employees as it may require for the performance of the work of the Authority and shall have the power to fix and determine their qualifications, compensation and duties:

"(a) The State Docks Director and the Assistant State Docks Directors shall be appointed as herein provided for, and together with those employees exempted under Sections 301 and 317(3) of Title 55 of the Code of Alabama, 1940, as amended, shall be exempt from the provisions of law with respect to the method of selection, classification and compensation of State employees under the Merit System.

"(b) The Authority may employ any attorneys, architects, engineers, consultants, surveyors and other professionals without regard to the Merit System.

"(c) All other employees who are subject to the provisions of the Merit System Act upon the effective date of this Act shall be employees of the Alabama State Docks Authority and shall be subject to the provisions of the Merit System."

Mr. Noonan offered the following substitute for the Bill, S. B. 489, and pending Committee amendment, to-wit:

SUBSTITUTE FOR S. B. 489

A BILL
TO BE ENTITLED
AN ACT

To create the Alabama State Docks Authority; providing for its powers, its Board of Directors and its personnel; transferring to the Authority all the rights, authorities, funds, property, books, records and effects of the Alabama State Docks Department, abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act No. 103 of the General Acts of Alabama, 1955, and Act No. 302 of the Special Sessions of 1961, General Acts of Alabama, 1961, pages 2362-2363, laws or parts of laws conflicting with its provisions; amending Section 9 and Section 13 of Title 38 the Code of Alabama, 1940, as amended, and providing for an effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Alabama State Docks Authority hereinafter referred to as "Authority". The Authority shall supervise, control, manage and direct the facilities known as the Alabama State Docks and Terminals and Inland Docks facilities and it shall be the agency of the State of Alabama, through which the state shall accomplish the development, construction, maintenance and operation of all improvements and facilities authorized by Chapter 1, Title 38, of the Code of Alabama (1940) as amended, including the promotion, development and coordination of all programs and facilities pertaining to the development of the navigable waterways and river systems in Alabama.

Section 2. The Alabama State Docks Department, consisting of a Director of State Docks and a State Docks Advisory Committee, created by Act No. 103 of the Regular Session of 1955, Legislature of Alabama, General Acts of 1955, pages 345-348, is hereby abolished. All of the funds, property, books, records and effects of every kind whatsoever belonging to or under the control of Alabama State Docks Department are hereby transferred to the Alabama State Docks Authority and the Authority shall succeed to all the rights, powers, duties and obligations of the Alabama State Docks Department, and all legal rights of the Alabama State Docks Department are hereby transferred to and shall be exercised by the Alabama State Docks Authority.

Section 3. The Alabama State Docks Authority shall be a public body corporate with a Board of Directors composed of the following:

1. The Governor of the State, ex-officio.
2. One member from Mobile County.
3. One member from each Congressional District of the state as such districts are now set up.

The appointed members shall be named by the Governor, by and with the consent of the Senate. Appointed members shall hold office

for terms of 12 years each, or until their successors are appointed and qualified; however, the terms of the first members so appointed shall expire as follows: The terms of three shall expire 4 years from the date of their appointment; the terms of three shall expire 8 years from the date of their appointment and the terms of three shall expire 12 years from the date of their appointment. No individual who has served on the board for a full 12 year term shall be eligible for re-appointment to succeed himself. Any appointed vacancy occurring shall be filled by the Governor, by and with the consent of the Senate, and each of such appointees shall be from the same geographical district as his predecessor. Board members must be resident citizens and qualified electors of the State of Alabama, and no one of them shall hold any other office of trust or profit under the United States or the State of Alabama during their continuance in office. Board members shall be of excellent character and shall have no substantial financial interest in any firm having business transactions with the Authority hereby created or in any harbor facilities such as the Authority is authorized to operate. Ad interim appointments shall be effective in all cases. Members may be removed from office upon impeachment in the manner and upon the grounds prescribed in Section 173 of the Constitution of Alabama.

Section 4. Each board member shall be entitled to receive \$100.00 for each day actually engaged in the performance of his duties as such, such compensation not to exceed the sum of \$2500.00 in any calendar year. Each member shall also be entitled to receive reimbursement for actual travel expenses necessarily incurred while engaged in the performance of his duties as such. Any member who shall fail to attend 50% or more of all official meetings during any calendar year shall be considered to have ipso facto vacated his office.

Section 5. The Board of Directors shall meet at least once a month at such times and places as may by them be selected. It may meet more often as business requires or on special call of the Chairman or any three members of the board. In each calendar year, three of such meetings shall be open public meetings conducted in a suitable location, and for the purpose of receiving statements, recommendations and complaints from the users of the facilities and from the general public.

Section 6. The Board of Directors shall elect from its appointed members a Chairman and a Vice-Chairman, who shall hold office as such for a period of one year, or until their successors are elected and qualified. A majority of the board members shall constitute a quorum for transacting business.

Section 7. The Board of Directors of the Authority shall appoint a chief executive officer, who shall be known as State Docks Director. He shall be a man of good character, of excellent reputation, with experience in the field of water-borne commerce, transportation, marine terminal operation and foreign trade development. He shall have no financial interest in any concern having business transactions with the Authority. The salary of the State Docks Director shall be fixed by the Board at an amount competitive with the generally prevailing salary paid others holding similar positions at competitive ports. Benefits in addition to salary may include, but shall not be limited to, retirement program, life insurance, health and accident insurance, including the principal spouse and other dependents. Automobile and other allowances for customary business expenses shall be established by the Board based on benefits generally prevailing to others holding similar positions at competitive ports. The Board of Directors may, at its discretion, enter into a contract of employment to fill such posi-

tion but no such contract shall be effective for a period longer than two years. The State Docks Director may be employed on a no-contract basis subject to mutual agreement between the Board and the Director. His responsibilities shall encompass all activities of the Authority, including administration, operation, finances, and trade development carried on by the Authority at Mobile and through the Inland Docks facilities which are located throughout Alabama. His responsibilities shall include the promotion and coordination of programs connected with development of the navigable waterways and river systems of Alabama. The State Docks Director shall also ex-officio be the Secretary and Treasurer of the Authority.

Section 8. The Board of Directors of the Authority, with the advice of the State Docks Director is authorized to employ one or more Assistant Directors. The Board may, at its discretion, enter into contracts of employments to fill such positions. Assistant Directors may be employed on a no-contract basis subject to mutual agreement by the Board and the Assistant Director. Qualifications for Assistant Director shall include a requirement of experience in marine terminal operation, foreign trade developments and transportation in the field of water borne commerce. Assistant Directors must be men of excellent character and shall have no financial interest in any concern having business with the docks. In the event of the absence of the Director the line of authority shall be established by the Board to provide uninterrupted operation of the docks.

Section 9. Subject to the limitations herein prescribed the Authority may appoint such officials and employees as it may require for the performance of the work of the Authority and shall have the power to fix and determine their qualifications, compensation and duties:

(a) The State Docks Director and the Assistant State Docks Directors shall be appointed as herein provided for, and together with those employees exempted under Sections 301 and 317(3) of Title 55 of the Code of Alabama, 1940, as amended, shall be exempt from the provisions of law with respect to the method of selection, classification and compensation of State employees under the Merit System.

(b) The Authority may employ any attorneys, architects, engineers, consultants, surveyors and other professionals without regard to the Merit System.

(c) All other employees who are subject to the provisions of the Merit System Act upon the effective date of this Act shall be employees of the Alabama State Docks Authority and shall be subject to the provisions of the Merit System.

Section 10. The Board shall annually submit a report of the activities of the Authority to the Governor and to the Legislature. It may from time to time make recommendations to the Legislature, based upon study and analysis, for the better conduct of the commerce passing in and through the State Docks and Terminals at Mobile and the Inland Docks facilities scattered throughout the State, for the increase and improvement of transportation and facilities, for the more economical and expeditious handling of such commerce, and for the development and promotion of both domestic and foreign trade.

Section 11. The Board of Directors may delegate to the State Docks Director or other officials of the Authority, such of its administrative powers and functions as it may deem proper.

Section 12. The Authority shall have and exercise all the rights, powers, duties and authority, not inconsistent with the provisions of this Act, conferred upon the Alabama State Docks Department, Department of State Docks and Terminals, the State Docks Advisory Board and the Director of State Docks at the time of the effective date of this Act by Title 38 of the Code of Alabama, 1940, as amended, or by any other laws of this state.

Section 13. Section 9 of Title 38, Code of Alabama, 1940, is amended to read as follows:

"S 9. The jurisdiction of the Alabama State Docks Authority in any harbor or seaport within the state shall extend over the waters and shores of such harbor or seaport and shall extend to the outer edge of the outer bar at such harbor or seaport. The jurisdiction of the Authority shall also extend over the waters and shores of all rivers and streams within the state which are navigable for commercial traffic or which may be so navigable at any time in the future. The jurisdiction of the Authority shall not be exclusive, however and nothing contained herein shall be taken as a deprivation of the authority of the Department of Conservation to control, hold, lease, manage, or own the minerals, sand, gravel, or any other natural resources in the beds of navigable streams or other public waters as provided by law".

Section 14. Section 13 of Title 38, Code of Alabama, 1940, is amended to read as follows:

"S 13. The state, in engaging in the work of internal improvement, of promoting, developing, constructing, maintaining and operating harbors, seaports and riverports within the state and its jurisdiction, acting through the Alabama State Docks Authority, shall have power to acquire, purchase, install, lease, construct, own, hold, maintain, equip, use, control and operate, at seaport, or any ports located on any river or stream which is navigable for commercial traffic, or which may be made to be navigable at any time in the future, wharves, piers, docks, quays, grain elevators, cotton compresses, warehouses, refineries, and other water and rail terminals and other structures and facilities needful for the convenient use of the same in the aid of commerce including the dredging of approaches thereto; but before the said Authority shall exercise such authority, it shall first submit plans, including estimates of cost, prepared by competent engineers and architects to the Governor who shall consult and confer with the Authority in reference thereto, and as to dredging, with the proper State of Alabama and United States authorities.

Section 15. Act No. 103, of the Regular Session of 1955, Legislature of Alabama (Gen. Acts 1955 pp. 345-348), Act No. 302 of the Special Session of 1961 (Gen. Acts 1961 pp. 2362-2363), and all other laws or parts of laws which conflict with the provisions of this Act are hereby repealed.

Section 16. The provisions of the Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. This Act shall become effective sixty (60) days after its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

Nays:

—0

And said Bill, S. B. 489, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

Nays:

—0

The Bill:

S. 5. To provide sales and use tax exemptions for certain medicines purchased by prescription.

as amended by the Finance and Taxation Committee substitute, which said substitute is set out in the Journal of the Senate for the Nineteenth Legislative Day, was again taken up.

Mr. Lybrand moved that further consideration of the Bill, S. B. 5, as amended, be postponed until the Twenty-fifth Legislative Day.

On motion of Mr. Vacca, the motion to postpone was laid on the table.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Dozier	Horne	Register
Bailes	Edington	King	Shelby
Branyon	Fine	Malone	Vacca
Cooper	Hammond	Pelham	Wilson
Dominick	Hawkins		

—17

Nays:

Messrs.:	Jones	McLain	Pierce
Carr	Lindsey	O'Bannon	Weaver
Cook	Littleton	Owen	Wilder
Harris	Lybrand		

—13

Mr. McLain moved that further consideration of the Bill, S. B. 5, as amended, be postponed until the Twenty-fourth Legislative Day.

On motion of Mr. Vacca, the motion to postpone was laid on the table.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Dozier	Hammond	Pelham	
Bailes	Edington	Hawkins	Shelby	
Branyon	Fine	Horne	Vacca	
Carr	Gilmore	King	Weaver	
Cooper	Givhan	Malone	Wilson	
Dominick				—20

Nays:

Messrs.:	Jones	Lybrand	Pierce	
Cook	Lindsey	McLain	Wilder	
Harris	Littleton	O'Bannon		—10

Mr. Givhan offered the following amendment to the Bill, S. B. 5, as amended, to-wit:

AMENDMENT TO S. B. 5

Amend Section 1 by inserting immediately following the word "Orders" where the same first appears the following:

"bearing a certificate of the physician issuing such prescription order or orders that the person for whom the drugs were prescribed is 65 years of age or older,"

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pierce	
Bailes	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Edington	Horne	O'Bannon	Wilson	
Fine	Jones	Owen		—26

Nays:

—0

And said Bill, S. B. 5, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones	Owen		—34

Nays:

—0

On motion of Mr. Vacca, unanimous consent was granted to have the names of Messrs. Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Weaver, Wilder and Wilson added as co-sponsors of the Bill, S. B. 5.

The Bill:

S. 250. To provide that certain school bus drivers, mechanics, and maintenance workers in any public school or public college within the State may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County and City Board of Education or the governing body of any public school employing such bus drivers, mechanics and maintenance workers, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such school bus drivers, mechanics and maintenance workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

was taken up.

Mr. Cooper offered the following amendment to the Bill, S. B. 250, to-wit:

AMENDMENT TO S. B. 250

Amend S. B. 250, Section 1, by adding at the end of said Section 1 the following:

"Except that those employees who become members under this Act shall not be entitled to \$72.00 multiplied by the number of years of creditable service for service retirement nor \$54.00 multiplied by the number of years for disability retirement."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Givhan	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dominick	Horne	Noonan	Wilson
Dozier			

—32

Nays:

—0

And said Bill, S. B. 250, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones	Owen		—30

Nays: —0

The Bill:

S. 154. To make appropriations from the Alabama Special Educational Trust Fund.

and pending Harris amendment, which said amendment is set out in the Journal of the Senate for the Nineteenth Legislative Day, was again taken up.

On motion of Mr. Harris, said amendment was laid on the table.

And said Bill, S. B. 154, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—29

Nays: —0

The Bill:

H. 21. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Noonan	
Bailes	Edington	Horne	O'Bannon	
Branyon	Fine	Jones	Pelham	
Carr	Foshee	King	Pierce	
Clark	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Shelby	
Cooper	Hammond	Lybrand	Weaver	
Dominick	Harris	McLain	Wilder	
				—31

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Shelby, further consideration of the Bill, S. B. 47, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 99. Relating to local funds for support of public schools; requiring a prescribed minimum of financial local support of public schools; prescribing penalties for failure to meet such minimum requirements; providing for the time for making of computations and calculations of such minimum requirements; providing for recalculations of such minimum requirements; defining local support and providing for the repeal of Act No. 33 of the Special Session of the Alabama Legislature 1969, and all other laws in conflict herewith.

was taken up.

Mr. Harris moved that further consideration of the Bill, H. B. 99, be postponed until the Twenty-seventh Legislative Day. On motion of Mr. Horne, the motion to postpone was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Fine	Horne	Pierce	
Branyon	Foshee	Jones	Register	
Clark	Gilmore	King	Shelby	
Dozier	Givhan	Littleton	Wilder	
Edington	Hawkins	Malone		—18

Nays:

Messrs.:	Cooper	Harris	O'Bannon	
Bailes	Dominick	Lindsey	Pelham	
Carr	Hammond	Noonan	Weaver	—11

The Standing Committee on Education reported the following amendment to the Bill, H. B. 99, to-wit:

AMENDMENT TO H. B. 99

Amend H. B. 99 by deleting Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. The public schools of a county, including the independent cities therein in addition to meeting all of the prerequisites prescribed by law or rule or regulation of the State Board of Education, beginning with the school year 1971-72, shall also provide at least a required minimum of local participation in the cost of operating the schools in the area. The required minimum of local participation shall be an amount equal to such proportion of the state average of local participation per student in average daily attendance as the per capita income of the residents of the county for the preceding calendar year bears to the per capita income of the residents of the whole state for such year. The State average of local participation per student in average daily attendance shall be computed on September 30, 1970, and on the same day of the same month each following fifth (5th) year

thereafter and shall remain constant for a period of five (5) years after being computed. Such state average of local participation shall be computed on the basis of local taxes specifically levied, designated, earmarked and appropriated for educational purposes in the several counties and cities of the state. For the purpose of determining the minimum of local participation required for a county or independent city therein to share fully in the minimum program fund for a particular year all monies used or available for use that year by the county or city board of education for the operation of schools generally under such boards' jurisdiction shall be deemed and considered a part of such local participation, including all local taxes specifically levied, designated and earmarked for school purposes and all other local funds from any other source. The term "local funds from any other source" shall include all special appropriations, contributions, gifts, devises, or bequests made, contributed or given to such boards of education by the county, a municipality, a person, a firm, or a corporation for use for general educational purposes by the recipient board, including funds received from the Federal government under Public Law 874. Such term shall include any amounts spent for the amortization of bonded indebtedness, utilities and other contributions to such system not reflected on the financial statement of the county or city board of education. Contributions, gifts, devises or bequests made for use only at designated schools or for designated purposes, however, shall not be included when determining the amount of such minimum of local participation. For the purpose of determining whether a county or the independent cities therein are providing the minimum local participation required, if the average of participation by the county and all the independent cities therein meets the minimum requirements, then such county and all independent cities therein shall be deemed to be meeting the minimum required local participation and shall be entitled to participate fully in the minimum program funds. If the average of the participation by a county and the independent cities therein does not come up to the required minimum of local participation then the share that county and the independent city therein are entitled to receive from the appropriation of the minimum program shall be reduced in the same amount by which said county and the independent cities therein fail to come up to the minimum requirement. Any penalty imposed upon a county and all independent city system(s) therein shall be apportioned among such systems based upon their present current expense ratios of the minimum program calculation. This penalty shall not be imposed on such county or city systems until the fiscal year following the year during which such county or city systems fail to meet such minimum requirements. All such funds as may be withheld under the provisions of this act from any county or independent city system therein shall be distributed according to the current expense ratio of the minimum program allocation among school systems which have met all requirements for full participation in the minimum program fund."

On motion of Mr. Pierce, further consideration of the Bill, H. B. 99, and pending amendment, was postponed temporarily.

The Bill:

S. 176. To require physicians and surgeons to report judgments or settlements annually to the State Board of Medical Examiners, and requiring said Board to keep records of all reported judgments and settlements, and take necessary disciplinary action.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan
Bailes	Edington	Jones	O'Bannon
Branyon	Fine	King	Owen
Carr	Foshee	Lindsey	Pelham
Clark	Gilmore	Littleton	Shelby
Cook	Givhan	Lybrand	Weaver
Cooper	Hammond	McLain	Wilder
Dominick	Hawkins	Malone	Wilson

—31

Nays:

—0

The Bill:

S. 177. Declaring privileged the decisions, opinions, actions and proceedings of committees of physicians and surgeons formed or appointed as Utilization Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon
Bailes	Foshee	King	Owen
Branyon	Gilmore	Lindsey	Pierce
Carr	Givhan	Littleton	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Edington	Horne		

—29

Nays:

—0

The Bill:

S. 183. Setting forth the right and time of appeal from revocation of a certificate of qualification issued under Article 3, Title 46, Code of Alabama, 1940, recompiled 1958, and specifically repealing sections 283 and 284 of Title 46.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Hammond	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Malone	Wilder
Dominick	Horne	O'Bannon	

—30

Nays:

—0

The Bill:

S. 345. To provide that psychiatric services rendered in state mental hospitals and facilities shall be compensable in any policy or contract of insurance covering psychiatric services.

was taken up.

Mr. Lindsey offered the following amendment to the Bill, S. B. 345, to-wit:

AMENDMENT TO S. B. 345

Amend Senate Bill 345 by redesignating Sections 2, 3 and 4 to be Sections 3, 4 and 5, respectively, and add a new section to be designated Section 2 to read as follows:

"Section 2. The provisions of this Act shall not apply to any policy of insurance in effect prior to the effective date of this Act, nor shall the provisions of this Act apply to any employee benefit plan providing hospital benefits for mental patients where such employee benefit plan is established by the employer and contributions to the plan are provided by the employer and the employee, or either of them, and such plan is not evidenced by individual or group or blanket policies of health, sickness or accident insurance issued by an insurance company."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder

—31

Nays:

—0

And said Bill, S. B. 345, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder

—31

Nays:

—0

The Bill:

S. 346. Relating to mental health; providing for the confidentiality of information, records, research data with mental health care delivery system; authorizing Commissioner of Mental Health to receive research data; prohibiting identification of persons and providing a penalty for violation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	McLain	Shelby
Cook	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilder

—31

Nays:

—0

The Bill:

S. 347. To amend Act No. 125, S. 86, Special Session 1909 (Acts 1909, p. 163), an act relating to the authority of a probate judge to expend monies in his charge for the support of minors or persons of unsound mind.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lindsey	Register
Branyon	Givhan	Littleton	Shelby
Carr	Hammond	Lybrand	Vacca
Clark	Harris	McLain	Weaver
Cook	Hawkins	Owen	Wilder
Cooper	Horne	Pelham	Wilson
Dozier	Jones		

—29

Nays:

—0

BILL RECALLED AND RE-REFERRED

On motion of Mr. Cooper, unanimous consent was granted for the Bill, S. B. 303, to be removed from the Calendar.

Mr. Cooper then moved that said Bill, S. B. 303, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and said Bill, S. B. 303, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 118. Relating to county roads and rights-of-way and all improvements therein providing for regulation of digging up or use of such roads and rights-of-way or improvements therein for certain purposes by public utilities.

was taken up.

The Standing Committee on County Government reported the following amendment to the Bill, S. B. 118, to-wit:

AMENDMENT TO S. B. 118

Amend S. B. 118 by inserting in the eighth line of the first sentence of Section 1 between the words "by virtue of" and "its actions" the following:

"a franchise granted by a county or resulting from"

and also by inserting between the close of the first sentence and the beginning of the second sentence of Section 1 the following:

"No permit deposit or bond shall be required in advance of performance of emergency work or repairs provided the utility shall within 72 hours of completion of such work or repairs give notice to the county governing body of such work or repairs and otherwise comply with the provisions of this Act."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Register	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier	Jones	Noonan		—26

Nays:

—0

Mr. Harris offered the following amendment to the Bill, S. B. 118, as amended, to-wit:

AMENDMENT TO S. B. 118

Amend S. B. 118 by inserting in line 22 of Section 1 after the word "given" and before the word "Such" the following language:

"unless the work performed in such road or right-of-way was within the boundaries of an easement or right-of-way of such person, firms, corporation or utility, or its predecessor, which was obtained prior to the creation of such county road or right-of-way or the installation of such improvements."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce	
Bailes	Foshee	King	Register	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Givhan	Littleton	Vacca	
Clark	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne	Pelham		—30

Nays: —0

And said Bill, S. B. 118, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pierce	
Bailes	Foshee	King	Register	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Givhan	Littleton	Vacca	
Clark	Hammond	Lybrand	Weaver	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne	Pelham		—30

Nays: —0

The Bill:

H. 200. To allow certain County Engineers, who have heretofore participated in the Employees Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington				—32

Nays: —0

The Bill:

S. 811. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Clark	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	Noonan	Weaver
Dozier	Hawkins	O'Bannon	Wilder

—31

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Littleton, further consideration of the Bill, S. B. 210, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 39. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 282. To authorize the director of the Legislative Reference Service to employ additional temporary staff members and clerical help either subject to the provisions of the merit system law or without regard to the provisions thereof, under certain conditions.

Also:

S. 283. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

JOHN W. PEMBERTON,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 33

S. B. 34

S. B. 35

S. B. 36

S. B. 37

S. B. 167

S. B. 263

S. B. 265

Delivered to the Governor, July 13, 1971, at 2:45 P. M.

S. B. 264

S. B. 291

Delivered to the Governor, July 13, 1971, at 3:35 P. M.

S. B. 13

Delivered to the Governor, July 15, 1971, at 2:10 P. M.

S. J. R. 46

S. B. 245

S. B. 288

S. B. 337

S. B. 349

S. B. 366

Delivered to the Governor, July 15, 1971, at 3:10 P. M.

S. B. 287

S. B. 136

S. B. 137

S. B. 140

S. B. 141

S. B. 142

S. B. 143

S. B. 144

S. B. 361

Delivered to the Governor, July 22, 1971, at 2:25 P. M.

S. B. 378

S. J. R. 42

S. J. R. 47

S. J. R. 50

Delivered to the Governor, July 22, 1971, at 2:25 P. M.

S. J. R. 35

S. J. R. 55

S. J. R. 56

Delivered to the Governor, July 27, 1971, at 2:35 P. M.

S. B. 149

S. B. 205

S. B. 399

S. B. 430

S. B. 445

S. B. 486

Delivered to the Governor, July 27, 1971, at 4:00 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:45 P. M., on motion of Mr. Harris, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 3, 1971, at 10 o'clock A. M.

TWENTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 3, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Dr. Rex A. Turner, President, Alabama Christian College, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	Owen	

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Second Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. O'Bannon for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1002. To alter, rearrange and extend the boundary lines of the Town of Hollywood, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 543. To apply in all counties having a population of 500,000 inhabitants or more, according to the last or any subsequent Federal decennial census and to authorize the County Board of Health in all such counties to solicit, receive and hold gifts, grants, devises and bequests of money, real estate and any other thing of value and to use County Board of Health funds to match or supplement any such gifts, grants, devises and bequests of money, real estate or any other thing of value to carry out the purpose or purposes for which any such gift, grant, devise or bequest of money, real estate or other thing of value was given or granted; to further authorize said Board to purchase any real or personal property needed to carry out the functions of said Board.

Also:

H. 683. To permit persons to make returns of taxable property, whether real or personal, by mail in those counties where Section 80, Title 51, Code of Alabama of 1940, as amended, is now, or is hereafter, in effect.

Also:

H. 537. To authorize the county governing body of all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census to provide for the appointment of a County Pardon and Parole Board; to provide for the conditional release of county prisoners; to provide for the return to the County Jail of any prisoner who violates the condition of his release; and repeal all conflicting laws.

Also:

H. 822. To amend further Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by providing for an additional legal stenographer for such circuit.

Also:

H. 853. To provide for the appointment of the Clerk of the County Commission of Jackson County and other clerical assistance deemed necessary by the Chairman of the County Commission; to provide for the fixing of the compensation of such clerk and clerical assistance by the County Commission; and to repeal all laws, general, local or special, in conflict with the provisions of this act.

Also:

H. 854. Relating to counties having populations of not less than 38,100 nor more than 40,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 997. To amend the title and Section 1 of Act No. 146, H. 185, Special Session 1967 (Acts 1967, p. 146), which Act provides for an expense allowance for each of the circuit judges in all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Also:

H. 998. To amend the title and Section 1 of Act No. 148, H. 203, Special Session 1967 (Acts 1967, p. 197), which Act provides for an expense allowance for the district attorney of all judicial circuits in this state composed of three counties with two circuit judges and located in certain counties classified on a population basis.

Also:

H. 1003. To alter, rearrange, extend and enlarge the boundary lines and Corporate limits of the Town of Dutton, Alabama, in Jackson County, Alabama.

Also:

H. 530. To amend Section 210 of Title 13 of the 1940 Code of Alabama, which relates to the appointment, term and removal of registers of circuit courts.

Also:

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROBATE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

Also:

H. 410. Proposing an amendment to the Constitution of Alabama relating to Hale County, and ordering an election thereon.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stokes, Roberts, Therrell, Collins, Lyons, Downing, Wood, Nettles, Perloff and Callahan:

H. 1401. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Prichard in Mobile County, Alabama, by removing certain areas from the limits of the City of Prichard and adding same to the limits of the City of Chickasaw, and to describe the areas so removed from the City of Prichard and so added to the City of Chickasaw.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Prichard in Mobile County, Alabama, by removing certain areas from the limits of the City of Prichard and adding same to the limits of the City of Chickasaw, and to describe the areas so removed from the City of Prichard and so added to the City of Chickasaw.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Chickasaw in Mobile County, Alabama, are altered, rearranged and extended to include within the corporate limits of said city the parcels of land hereinafter described, and the boundaries of the City of Prichard in Mobile County, Alabama, are altered and rearranged to exclude from the corporate limits of said city the said parcels described as follows:

Parcel A:

Beginning at the Northeast corner of Section 20, Township 3 South, Range 1 West, Mobile County, Alabama, run westwardly along the north line of said Section 20 a distance of 2490 feet, more or less, to a point on the western right-of-way line of U. S. Interstate Highway 65, which point is on the existing western boundary line of the City of Chickasaw; thence run Southeastwardly along the said western right-of-way line of U. S. Interstate Highway 65, which is along the western boundary line of the City of Chickasaw, a distance of 1775 feet, more or less, to a point, said point being 5200 feet, more or less, southeast of the Northwest corner of the existing Chickasaw city limits measured along the western right-of-way line of U. S. Interstate Highway 65; thence continue Southeastwardly along the said western right-of-way line of U. S. Interstate Highway 65 a distance of 580 feet, more or less, to a point on the existing boundary line of the City of Chickasaw for the point of beginning of the parcel herein described; thence run Eastwardly along the existing boundary line of the City of Chickasaw a distance of 70 feet, more or less, to a point on the centerline of Eight Mile Creek; thence run in a general southwestwardly direction along and with the meanders of said centerline of Eight Mile Creek a distance of 130 feet, more or less, to a point on the western right-of-way line of said U. S. Interstate Highway 65; thence run Northwestwardly along the said western right-of-way line of U. S. Interstate Highway 65 a distance of 150 feet, more or less, to the point of beginning.

Parcel B:

Beginning on the south boundary line of West Lee Street (formerly Second Avenue) at the northeast corner of Lot 10, Block 13, North Mobile Subdivision, as shown by map of survey of North Mobile Subdivision recorded in Deed Book 145 N. S., pages 252-263 of the Probate Records of Mobile County, Alabama, said point being on the west right-of-way line of the Alabama State Docks Terminal Railway, for the point of beginning of the parcel herein described, thence run southwardly along the said west right-of-way line of the Alabama State Docks Terminal Railway a distance of 594 feet, more or less, to a point which is 250 feet south of the westward projection of the south boundary line of Third Avenue; thence run westwardly and parallel to the westward projection of the north boundary line of Fourth Avenue a distance of 355 feet, more or less, to the centerline of Gum Tree Branch; thence run southwestwardly, southwardly and southeastwardly along and with the meanders of the said centerline of Gum Tree Branch to a point on the southward

projection of the west boundary line of Blackfoot Street, said point being 950 feet, more or less, south of the north boundary line of Section 29, Township 3 South, Range 1 West, Mobile County, Alabama, and being a corner of the present limits of the City of Prichard; thence run northwardly along a southern projection of the said west boundary line of Blackfoot Street and along the west boundary line of Blackfoot Street (being also the present eastern boundary line of the City of Prichard) a distance of 2200 feet, more or less, to a point on the south boundary line of West Lee Street (formerly Second Avenue); thence run west along the said south boundary line of West Lee Street a distance of 300 feet, more or less, to a point at the northeast corner of Lot 10, Block 13, North Mobile Subdivision, the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Ruth Greene, being sworn, says that she is bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Press June 18, 25, July 2, 9, 1971.

RUTH GREENE.

Sworn to and subscribed before me this 9th day of July, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Stokes, Roberts, Therrell, Collins, Lyons, Downing, Wood, Nettles, Perloff and Callahan:

H. 1402. To alter, rearrange and add to the limits of the City of Prichard in Mobile County, Alabama, and to alter and rearrange the limits of the City of Chickasaw in Mobile County, Alabama, by removing certain area from the limits of the City of Chickasaw and adding same to the limits of the City of Prichard, and to describe the area so removed from the City of Chickasaw and so added to the City of Prichard.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and add to the limits of the City of Prichard in Mobile County, Alabama, and to alter and rearrange the limits of the City of Chickasaw in Mobile County, Alabama, by removing certain area from the limits of the City of Chickasaw and adding same to the limits of the City of Prichard, and to describe the area so removed from the City of Chickasaw and so added to the City of Prichard.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Prichard in Mobile County, Alabama are altered, rearranged and extended to include

within the corporate limits of said city the parcel of land hereinafter described, and the boundaries of the City of Chickasaw in Mobile County, Alabama are altered and rearranged to exclude from the corporate limits of said city the said land described as follows:

Beginning at the Northeast corner of Section 20, Township 3 South, Range 1 West, Mobile County, Alabama, run westwardly along the north line of said Section 20 a distance of 2490 feet, more or less, to a point on the western right-of-way line of U. S. Interstate Highway 65, which point is on the existing western boundary line of the City of Chickasaw; thence run Southeastwardly along the said western right-of-way line of U. S. Interstate Highway 65, which is along the western boundary line of the City of Chickasaw, a distance of 1775 feet, more or less, to a point, said point being 5200 feet, more or less, southeast of the Northwest corner of the existing Chickasaw city limits measured along the western right-of-way line of U. S. Interstate Highway 65, and which point being the point of beginning of the parcel herein described; thence run Southwestwardly along the existing boundary line of the City of Chickasaw a distance of 960 feet, more or less, to a point; thence run Eastwardly along the existing boundary line of the City of Chickasaw a distance of 945 feet, more or less, to a point on the western right-of-way line of said U. S. Interstate Highway 65; thence run Northwestwardly along the said western right-of-way line of U. S. Interstate Highway 65 a distance of 580 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Ruth Greene, being sworn, says that she is bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 9, 16, 23, 30, 1971.

RUTH GREENE.

Sworn to and subscribed before me this the 9th day of July, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Stokes, Roberts, Therrell, Collins, Lyons, Downing, Wood, Nettles, Perloff and Callahan:

H. 1403. To alter, extend and add to the limits of the City of Chickasaw in Mobile County, Alabama so as to include within the corporate limits of said city certain other territory in Mobile County, Alabama, contiguous to said city and to describe the area so added to the said limits of the City of Chickasaw.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, extend and add to the limits of the City of Chickasaw in Mobile County, Alabama so as to include within the corporate limits of

said city certain other territory in Mobile County, Alabama, contiguous to said city and to describe the area so added to the said limits of the City of Chickasaw.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Chickasaw, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include within the corporate limits of said city the following described territory, to-wit:

Beginning at the Northeast corner of Lot 16, Block 13, North Mobile Subdivision, as shown by map of survey of North Mobile Subdivision recorded in Deed Book 145 N. S., pages 252-263 of the Probate Records of Mobile County, Alabama, which point is also the point of intersection of the west boundary line of Blackfoot Street with the south boundary line of West Lee Street (formerly Second Avenue) for the point of beginning of the parcel herein described; thence run southwardly along the western boundary line of Blackfoot Street and a southward projection thereof a distance of 2200 feet, more or less, to a point on the centerline of Gum Tree Branch (said point being 950 feet, more or less, south of the north boundary line of Section 29, Township 3 South, Range 1 West, Mobile County, Alabama); thence run in a general southeastwardly direction along and with the meanders of the centerline of Gum Tree Branch a distance of 2350 feet, more or less, to a point on the westward projection of the south boundary line of Twelfth Avenue; thence run eastwardly along the said westward projection of the south boundary line of Twelfth Avenue a distance of 60 feet, more or less, to a point on the southward projection of the west boundary line of Fifth Place as shown in said plat of survey of North Mobile Subdivision; thence run northwardly along the said southward projection of the west boundary line of Fifth Place a distance of 730 feet, more or less, to a point on the south boundary line of Tenth Avenue; thence run westwardly along the south boundary line of Tenth Avenue a distance of 150 feet, more or less, to a point on the southward projection of the east boundary line of Erie Street; thence run northwardly along the southward projection of the said east boundary line of Erie Street and along the east boundary line of Erie Street a distance of 630 feet to a point; thence run westwardly and parallel with the south boundary line of of Eighth Avenue and a westward projection thereof a distance of 500 feet, more or less, to a point on the southward projection of the west boundary line of Delaware Street; thence run north along the southward projection of the west boundary line of Delaware Street and along the west boundary line of Delaware Street a distance of 640 feet, more or less, to a point on the projection of the south boundary line of the east-west alley dividing Block 70 of said North Mobile Subdivision; thence run west along the projection of the said south boundary line of said alley a distance of 625 feet, more or less, to a point on the southward projection of the west boundary line of Second Place; thence run north along the said southward projection of the west boundary line of Second Place and along the west boundary line of Second Place a distance of 690 feet, more or less, to a point on the north boundary line of Section 29, Township 3 South, Range 1 West in Mobile County, Alabama; thence run west along the said north boundary line of said Section 29 a distance of 225 feet, more or less, to a point on the southward projection of the east boundary line of Blackfoot Street; thence run north along the southward projection of the said east boundary line of Blackfoot Street and along the east boundary line of Blackfoot Street a distance of 1250 feet, more or less, to a point on the south boundary line of West Lee Street (Formerly Second Avenue); thence run west along the said south boundary line of West Lee Street (formerly Second Avenue) a distance of 50 feet, more or less, to the northeast corner of said Lot 16 in Block 13, North Mobile Subdivision, the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Ruth Greene, being sworn, says that she is bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 9, 16, 23, 30, 1971.

RUTH GREENE.

Sworn to and subscribed before me this the 9th day of July, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Stokes, Callahan, Perloff, Collins, Wood, Therrell, and Nettles:

H. 1569. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Chickasaw in Mobile County, Alabama, are altered, rearranged and extended to include within the corporate limits of said city the parcel of land hereinafter described, and the boundaries of the City of Mobile in Mobile County, Alabama, are altered and rearranged to exclude from the corporate limits of said city the said parcel described as follows:

Beginning at the northwest corner of the southwest quarter of Section 27, Township 3 South, Range 1 West, Mobile County, Alabama, run eastwardly along the north boundary line of said southwest quarter of Section 27 a distance of 141 feet, more or less, to a point on the western right-of-way line of Telegraph Road for the point of beginning of the parcel herein described; thence run northwestwardly along the western right-of-way line of Telegraph Road a distance of 30.92 feet to a point; thence run westwardly and parallel to the north boundary line of said southwest quarter of Section 27 and the north boundary line of the southwest quarter of Section 28, Township 3 South, Range 1 West, a distance of

230.89 feet, more or less, to a point on the existing boundary line of the City of Chickasaw; thence run south along the existing boundary line of the City of Chickasaw a distance of 30.92 feet, more or less, to a point which is a corner on the existing boundary line of the City of Chickasaw; thence run westwardly along the existing boundary line of the City of Chickasaw a distance of 793.15 feet, more or less, to a point on the east right-of-way line of Craft Highway; thence run southwestwardly along the east right-of-way line of Craft Highway a distance of 30.67 feet to a point, which point is 30 feet south of the north boundary line of the southeast quarter of said Section 28; thence run eastwardly, parallel to and 30 feet south of the said north boundary line of said southeast quarter of Section 28 and the north boundary line of the southwest quarter of said Section 27 (being also along the southern right-of-way line of Twelfth Avenue Extension) a distance of 948 feet, more or less, to a point on the western right-of-way line of Telegraph Road; thence run north-westwardly along the western right-of-way line of Telegraph Road a distance of 30.92 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley, being sworn, says that she is Bookkeeper, of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 28, July 5, 12 and 19, 1971.

JUDY BEASLEY.

Sworn to and subscribed before me this 19th day of July, 1971.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Stokes, Downing, Perloff, Therrell, Nettles, Callahan, Lyons, Roberts, Wood and Collins:

H. 1790. To provide for a retirement pension for certain salaried elected public officials of any County having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof, and to require the approval by a majority of the voters in a county-wide referendum before the provisions of this Act become operative.

Also:

By Messrs. Parker (T), Culver, Robertson and Bank:

H. 308. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. Subpoenas requiring the attendance of witnesses in any civil, criminal, equity, or other case or proceeding in Tuscaloosa County, or before the grand jury of Tuscaloosa County may be served by the sheriff of Tuscaloosa County or constable personally or by leaving a copy thereof at the place of residence of the witness or in the discretion of the said sheriff of Tuscaloosa County the sheriff may serve the same by placing a copy thereof in the United States mail, enclosing the subpoena in an envelope properly stamped and addressed to the person or witness to be served. Upon service by the sheriff upon any witness or person by any one of the foregoing methods, the sheriff shall immediately mark the process executed. If the subpoena so mailed is not delivered to the addressee but is returned to the sheriff by the United States post office department then the sheriff shall immediately make a diligent effort to serve the subpoena either personally or by leaving a copy thereof at the place of residence of the witness.

Section 2. Anything to the contrary notwithstanding in Section 1 above, any judge having jurisdiction of the proceeding or case may on motion of any party or on the Court's own motion order any particular subpoena or the subpoenas in any case or proceeding to be served personally or by leaving a copy thereof at the place of residence of the said witness or person or by United States registered or certified mail.

Section 3. Whenever a subpoena requiring the attendance of a person or witness in any case or proceeding in Tuscaloosa County is required pursuant to this Act to be served personally on the witness or by leaving a copy thereof at the place of residence of the witness, any law to the contrary notwithstanding, the sheriff of Tuscaloosa County shall be entitled to collect as costs of court ten cents per mile for each mile traveled in serving the same.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 26, April 2, April 9, and April 16, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me May 5, 1971.

LaJUNE BURNETT,
Notary Public.

Also:

By Messrs. Merrill, Stewart, and Burgess:

H. 891. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

Parcel 1. A parcel of land situated on the North Side of U. S. 78 (By Pass) Highway in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 16 South, Range 7 East, more particularly described as: Beginning at the Southeast Corner of the land of E. R. Mansell, recorded in Deed Book 882, Page 512, in the Office of the Judge of Probate of Calhoun County, Alabama, which point is 210 feet East of a point on the West Line of the said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35 a distance of 900 feet South of the Northwest Corner of said quarter - quarter; thence North 4 degrees 30 minutes 07 Sec. West 483.37 feet to a point on the Southerly right-of-way line of the Harbison-Walker Refractories Company's spur track, shown in deed Book 212, Page 348, thence South 59 degrees 14 minutes 16 seconds east 379.76 feet along the said right-of-way line to a point; thence south 24 degrees 08 minutes 15 seconds east 370.73 feet along the West Line of the land of J. F. King, recorded in Deed Book 913, Page 579, to a point on the northerly right-of-way line of the said U. S. 78 Highway; thence South 65 degrees 51 minutes 45 seconds west 113.69 feet along the right-of-way line to a point; thence north 73 degrees 53 minutes 00 seconds West 350 feet to the point of beginning; situated and lying in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 16 South, Range 7 East, Calhoun

County, Alabama, as shown by plat hereto attached and made a part hereof.

Less and Except: To find the point of beginning, commence at a brass marker where the north right of way line of U. S. Highway No. 78 intersects the West Line of the right of way of the Harbison-Walker or Southern Railway Spur Track; thence South 65 degrees 51 minutes 45 seconds West 101.2 feet to another brass marker; thence North 24 degrees 08 minutes 15 seconds west 50 feet to another brass marker on the North Line of the right of way of said Highway No. 78; thence south 65 degrees 51 minutes 45 seconds west along said north right of way line 155.8 feet to said point of beginning; thence north 24 degrees 08 minutes 15 seconds west 370.73 feet to the west right of way line of said spur track; thence south 65 degrees 51 minutes 45 seconds west 103 feet; thence southerly to a point which is 173 feet from the east line of the properly described herein and is 200 feet 10 inches from the north line of the right of way of said Highway No. 78; thence South 24 degrees 8 minutes 15 seconds east 200 feet 10 inches to the north line of said highway right of way; thence North 65 degrees 51 minutes 45 seconds east along said right of way 173 feet to said point of beginning; said property being located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 16 South, Range 7 East, in Calhoun County, Alabama.

Parcel II. Starting at the SW Corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 16, Range 7 East; thence running Easterly along the North Line of right-of-way of Highway 78 approximately 375 feet to the point of beginning; thence continuing said line 230 feet; thence changing direction to bearing North 70 degrees West a distance of 290 feet; thence Southeasterly to the point of beginning, all distances being more or less. Said parcel lying adjacent to the property of James N. Nelson as described in Book 817, Page 426, Office of Probate Judge, Calhoun County, Alabama.

Parcel III. Lots 1 thru 11, inclusive as shown on the Map of J. O. Bennett's Subdivision situated in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35, Township 16, Range 7, Calhoun County, Alabama, as recorded in the Office of Probate Judge of Calhoun County, Alabama, in Plat Book G, Page 33.

Parcel IV. Lot 23, in Block 2, according to the Plat or Map of the Howle Subdivision as recorded in Plat Book K, at Page 9, Probate Office, Calhoun County, Alabama.

Parcel V. Lots 3 and 4 in Block B, according to the Plat or Map of the Howle (Second Addition) Subdivision, as recorded in Plat Book O, at Page 21, Probate Office, Calhoun County, Alabama.

Parcel VI. Beginning at an iron stob at the Northeast Corner of Dewey Miller Lots, and the Southwest intersection of Hill Avenue and Hickory Street; thence West along the South Side of Hickory Street One Hundred Sixty Eight (168) feet to an iron stob; thence in a Southeasterly direction one hundred twenty two (122) feet; thence East One Hundred Ten (110) feet; thence North One Hundred Fourteen (114) feet to the point of beginning. Being a parcel of that tract or lots sold to Dewey Miller by S. E. Boozer and his wife Sarah Foster Boozer, recorded in the Probate Office of Calhoun County, State of Alabama, in Book 552, Page 206, subject to the following easements, to-wit: Southern Natural Gas Corporation; Southern Natural Gas Company for pipe line rights of Plantation Pipe Line Company for Pipe Line; All public roads and highways crossing said land; Southern Bell Telephone & Telegraph Company, Inc., Alabama Power Company; Southern Natural Gas Company; Gulf Refining Company.

Parcel VII. Lot 2, Block A, according to the Plat or Map of the Second Addition of Howle Subdivision, as recorded in Plat Book O, at Page 21, Probate Office, Calhoun County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Terry A. Crowe, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor, Gen. Mgr. of the Oxford Sun, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5/26, 6/2, 6/9, and 6/16, all in the year 1971.

TERRY A. CROWE.

Sworn to and subscribed before me June 21, 1971.

LOUISE J. BATES,
Notary Public.

Also:

By Messrs. Merrill, Stewart, and Burgess:

H. 892. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

All the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 17 South, Range 8 East, lying East of the public road leading from Oxford-Able Road to the McIntosh Road; all the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ lying East of the public

road from the Oxford-Able to the McIntosh Road; all the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying North of the McIntosh Road; all the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; all the East Half of the NE $\frac{1}{4}$ lying North of the McIntosh Road and West of the Public Road leading from the Oxford-Able Road to the McIntosh Road; All of the above described property being in Section 3, Township 17 South, Range 8 East, Calhoun County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Terry A. Crowe, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor, Gen. Mgr. of the Oxford Sun, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5/26/71, 6/2/71, 6/9/71, and 6/16, all in the year 1971.

TERRY A. CROWE.

Sworn to and subscribed before me June 21, 1971.

LOUISE J. BATES,
Notary Public.

Also:

By Messrs. Adams and Brassell:

H. 1106. To amend the title and Section 1 of Act No. 50, H. 80, Special Session 1970 (Acts 1970, p. 2673), which provides for the salary of the chief deputy sheriff of certain counties classified on a population basis.

Also:

By Messrs. Adams and Brassell:

H. 1107. To amend the title and Section 1 of Act No. 495, S. 460, Regular Session 1963 (Acts 1963, p. 1060), which provides for the licensing and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses, collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

Also:

By Messrs. Brassell and Adams:

H. 1108. To amend the title and Section 1 of Act No. 60, S. 125, Special Session 1964 (Acts 1964, p. 83), which provides for contingent funds and regulates the use thereof, in certain counties on a population basis.

Also:

By Messrs. Adams and Brassell:

H. 1109. To amend the title and Section 1 of Act No. 251, H. 701, Regular Session 1969, (Acts 1969, p. 583), which abolishes the public

highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis.

Also:

By Messrs. Brassell and Adams:

H. 1110. To amend the title and Section 1 of Act No. 119, H. 348, Regular Session 1967 (Acts 1967, p. 455), which regulates the use of voting machines where previously or subsequently authorized, establishes voting centers, provides for election officers at such centers, and prescribes the duties and fines the compensation for such officers in certain counties classified on a population basis.

Also:

By Messrs. Brassell and Adams:

H. 1111. To amend the title and Section 1 of Act No. 341, H. 804, Regular Session 1969 (Acts 1969, p. 713), which provides further for the compensation of certain bailiffs in certain counties classified on a population basis.

JOHN W PEMBERTON.
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1401, 1402, 1403, 1569, 1790, 308, 891, 892, 1106, 1107, 1108, 1109, 1110 and 1111. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Chesnut and Baker:

H. 1704. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such ensuing session of the Legislature.

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 159, local acts of Alabama 1947, page 91, and to repeal act No. 161, local acts of Alabama 1949 at page 187, which two acts provided for the election of members of the board of revenue by districts, and to re-enact the provisions of Act No. 250, local acts of Ala-

bama, 1939, page 138 which provided for election of members of the board of revenue by the qualified electors of the county as a whole, but requiring one member to reside in each of the districts therein designated and established.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 159 Local Acts of Alabama 1947, page 91, is hereby expressly repealed.

Section 2. Act No. 161 Local Acts of Alabama 1949 at page 187 is hereby expressly repealed.

Section 3. Section 1 of Act No. 250, Local Acts of Alabama 1939, page 139, is reenacted and Section 1 of said Act No. 250, Local Acts of Alabama 1939, page 138 shall read as follows:

There is hereby created a Board of Revenue for said Cherokee County, Alabama, (which Board is under the general law is now known as The Cherokee County Commission) which Board shall consist of four members who shall be nominated and elected by the qualified electors of the County at large, one member to reside in and be elected from each of the districts herein established, and for the terms of office as is specified by Sections 3 and 4 of said Act No. 250.

Section 4. The present members of the Cherokee County Commission who were elected and who are now serving from their respective districts shall remain in office for the term to which they were elected.

Section 5. All other laws in conflict are hereby expressly repealed.

Section 6. The provisions of this Act shall become effective immediately upon its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1971.

JOE SHAW, JR.

Sworn to and subscribed before me July 16, 1971.

DOT JOHNSON,
Notary Public—Alabama State at Large.

Also:

By Messrs. Baker and Chesnut:

H. 1705. To amend Section 12 and 13 of Act Number 418 approved November 13, 1959: To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any pur-

pose whatever, gasoline or other liquid motor fuel or devices or substitute therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF OF PUBLICATION

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 12 and 13 of Act Number 418 approved November 13, 1959:

To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Be It Enacted by the Legislature of Alabama:

Section I. That Section 12 of Act 418, approved November 13, 1959, is hereby amended to read as follows:

"Section 12. The proceeds of any tax imposed under authority of this Act shall be paid into a special fund in the County Treasury for use as provided in Section 13."

Section II. That Section 13 of Act 518, approved November 13, 1959, is hereby amended to read as follows:

"Section 13. Expenditures from the Special Fund provided for in Section 12, shall be made for the purpose of providing necessary funds for School Purposes and for Road and Bridge Funds for DeKalb County, and shall be divided as follows: One Hundred Fifteen Thousand Dollars (\$115,000.00) annually for the road and bridge fund for DeKalb County, and the balance of said funds derived from the tax levied by this Act shall be for school purposes in DeKalb County and shall be distributed by the County Treasurer or any other person designated by law to draw warrants on the County Funds to the DeKalb County Board of Education within DeKalb County, Alabama, on the same basis as funds are distributed from the minimum program funds received by DeKalb County

from the State of Alabama and shall be distributed to the several school systems in DeKalb County in accordance with the minimum program funds formula. The funds derived from the tax shall be distributed monthly on a pro-rata basis to the road and bridge fund of DeKalb County and to the DeKalb County Board of Education by the County Treasurer or any other person designated by law to draw warrants on the County Funds."

Section III. Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining section, paragraphs or portions hereof.

Section IV. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed insofar as they relate to DeKalb County, Alabama.

Section V. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles E. Hurley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

CHARLES E. HURLEY.

Sworn to and subscribed before me on this 19th day of July, 1971.

MARY RUTH BROWN,
Notary Public.

My Commission Expires: January 29, 1973.

Also:

By Messrs. Crawford and Connell:

H. 1707. To amend the title and Sections 1 and 2 of Act No. 123, H. 130, Second Special Session 1963 (Acts 1963, p. 312), which authorizes the county commission to prescribe the times when county offices may be closed in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1708. To amend the title and Section 1 of Act No. 182, H. 558, Regular Session 1963 (Acts 1963, p. 567), which provides for the compensation of county or deputy solicitors in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1709. To amend the title and Section 1 of Act No. 130, H. 121, Special Session 1965 (Acts 1965, p. 183), which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1710. To amend the title and Section 1 of Act No. 113, H. 254, Regular Session 1969 (Acts 1969, p. 392), which provides a county supplement to the per diem compensation of members of the county board of equalization in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1711. To amend the title and Section 1 of Act No. 381, H. 939, Regular Session 1969 (Acts 1969, p. 751), which fixes the fee for issuance of a pistol permit by the sheriff; and provides for the distribution and use of such fees in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1712. To amend the title and Section 1 of Act No. 114, H. 256, Regular Session 1969 (Acts 1969, p. 393), which authorizes the county commission to pay the salaries of clerks for the tax assessor and the tax collector in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1713. To amend the title and Section 1 of Act No. 391, H. 987, Regular Session 1969 (Acts 1969, p. 766), which increases the compensation of members of boards of registrars in certain counties classified on a population basis.

Also:

By Messrs. Crawford and Connell:

H. 1714. To amend the title and Section 1 of Act No. 805, H. 1016, Regular Session 1969 (Acts 1969, p. 1449), which relates to additional compensation paid official court reporters in all circuits composed of two counties, having two circuit judges, and in which one county has a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census.

Also:

By Messrs. Crawford and Connell:

H. 1715. To amend the title and Section 1 of Act No. 392, H. 988, Regular Session 1969 (Acts 1969, p. 767), which increases the compensation of members of the jury commission in certain counties classified on a population basis.

Also:

By Messrs. Connell and Crawford:

H. 1716. Relating to Houston County, directing the board of registrars to purge the list of registered voters, requiring and prescribing the procedure for the reidentification of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

A Bill to be entitled an act relating to Houston County, directing the board of registrars to purge the list of registered voters requiring an prescribing the procedure for the reidentification of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification. Section 1. The board of registrars of Houston County is hereby directed to purge all lists of registered electors in the county to the end that the names of all who are deceased or non-residents of the county or have otherwise become disqualified from voting therein shall be removed from such list and to the end that the name of each registered elector shall appear only on the list of registered electors for the precinct, ward district or beat in which he resides. Section 2. The public shall be informed that each person registered to vote is required to furnish by mail or in person registered to vote is required to furnish by mail or in person to the board of registrars, not later than December 31, 1971, a voter address report giving name as registered, full name, including maiden surname of married woman name of spouse, if any, voter's date of birth, race, sex address and location of residence by map or description if not on a street with numbered residences. Such information shall be recorded on the card file of the board of registrars when it is given by the registered voter, and, if he fails to give complete information after notice, he shall be notified to appear before the board to do so. All persons failing to give complete information by December 31, 1971, shall be advertised for purging from the list of registered voters, and ten (10) days for hearings and for assistance to voters in furnishing information shall be set by the board to be held not later than February. Such ten (10) day meeting shall be in place of the five (5) days in January and the five (5) days in February provided for purging and hearings by general law to be held in odd-numbered years. The board of registrars shall report not later than April 1, 1972, to the authority charged with preparing the list of voters to be used at elections, the names of all voters purged from the list following the hearing, and such names shall not appear on the list of registered voters furnished officials for the primary elections of 1972. Section 3. The reidentification of voters as herein required to be held in 1971 and 1972 shall be held each six years thereafter at the time in such years as herein required. The board of registrars shall prior to each such reidentification, prescribe the form to be used and such forms shall be printed and shall be furnished to the board of registrars by the county governing body in number equal to 125 per cent of the names on the list of registered voters as of September 1, of the year in which such forms are to be filled out by registered voters and be submitted to the board of registrars. Copies of such forms shall be placed in the office of the judge of probate and at such other places as the board of registrars may require. Each person filling out such form shall not leave it at the office where it was obtained but shall himself be responsible for delivering it to the board of registrars by mail or in person. Section 4. Any person who makes a wilfully false statement in answer to the reidentification questionnaire to the board of registrars or the duly authorized employe of the board of registrars shall be guilty of perjury and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years. Section 5. The cards, files, equipment, clerical assistance, postage, telephones and office space necessary to carry out the provision of this act are hereby required to be furnished by the county governing body of Houston County as authorized, and hereby required, by Section 55 (1) Title 17, Code of Alabama 1940 as amended. Section 6. The board of regisrars shall meet as often as necessary and of such dates as the board may by order fix for the purpose of purging the list of registered electors of the county. The board may meet any number of days not exceeding twenty (20) days during 1971 and each six (6) years thereafter for the purpose of purging such list which such days shall be in addition to the ten (10) days for hearing in 1972 and each six (6) years thereafter and shall be entitled to the same per diem allowances as now provided

by law for meeting such thirty (30) days as herein provided. Section 7. The board of registrars shall place each voter in his proper voting place by entering his name in a book of transfers. All registered electors shall be placed for voting in a precinct or ward, district or beat according to the subdivisions of the municipalities and the areas outside municipalities as such have been made by governing bodies, provided, however, that if such governing authorities have failed to so arrange voting districts that the territory of one or more lies partly in and partly outside a city, then the board of registrars shall request that such subdivision be made as now required by law to be made so that all areas in cities are divided into wards and districts and all areas outside cities are divided into precincts and districts. If the governing bodies herein cited fail to do divide voting territory, then the board of registrars shall divide the list of registered electors of such precinct, ward, district or beat into List A and List B, List A to contain the names of electors residing within the corporate limits of the municipality and List B to contain the names of electors residing outside the corporate limits of any municipality. Section 8. The mayor of each incorporated city or town in Houston County, or the person or persons charged with the duty of preparing a registration list of the registered electors in such city or town, or his duly authorized agents or representatives preparing such registration list, shall have full access to the files of the board of registrars, under supervision of the board, for the purpose of checking the same against the registration list as shown by the files of the board of registrars, and said list of registered electors being prepared for use in a municipal election shall be so checked and shall be made to conform to the placing of names for voting as on file with the board of registrars. Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains. Section 10. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 19, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Naramore and Crowe:

H. 1763. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Also:

By Messrs. Naramore and Crowe:

H. 1764. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Also:

By Messrs. Naramore and Crowe:

H. 1765. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Also:

By Messrs. Crowe and Naramore:

H. 1767. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1704, 1705, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1763, 1764, 1765 and 1767. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adams and Brassell:

H. 1112. To amend the title and Section 1 of Act No. 503, H. 905, Regular Session 1961 (Acts 1961, p. 602), which regulates the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

By Messrs. Adams and Brassell:

H. 1113. To amend the title and Section 1 of Act No. 110, S. 331, Regular Session 1965 (Acts 1965, p. 171), which further regulates the number and compensation of sheriff's deputies, in certain counties on a population basis.

Also:

By Messrs. Brassell and Adams:

H. 1114. To amend the title and Section 1 of Act No. 335, H. 700, Regular Session 1969 (Acts 1969, p. 707), which provides further for expense allowances to the members and clerk of the governing bodies of certain counties classified on a population basis.

Also:

By Messrs. Brassell and Adams:

H. 1115. To amend the title and Section 1 of Act No. 252, H. 702, Regular Session 1969 (Acts 1969, p. 584), which further regulates the number and compensation of deputies and other employees of the sheriffs of certain counties classified on a population basis.

Also:

By Messrs. Adams and Brassell:

H. 1116. To amend the title and Section 1 of Act No. 336, H. 703, Regular Session 1969 (Acts 1969, p. 708), which provides an expense allowance for members of the governing body of certain cities classified on a population basis.

Also:

By Messrs. Cauthen and Slate:

H. 1227. Relating to Morgan County; to provide further for the type of newspaper in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published in Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Morgan County; to provide further for the type of newspaper in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the types of newspapers designated in Section 713 of Title 7, Code of Alabama 1940, as last amended, in which publication of certain notices may be published, publication of any notice required by law or mortgage or other contract to be published in a newspaper may be published in any newspaper printed in the English language which is or may be hereafter approved by the United States Post Office Department for second class mailing privileges, which has general circulation in Morgan County, regardless of where the paper is printed, if the principal editorial office of the newspaper is located within Morgan County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/1, 6/8, 6/15, and 6/22, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me 22nd day of June, 1971.

LUCILE S. JERVIS,
Notary Public.

Also:

By Messrs. Slate and Cauthen:

H. 1228. Relating to Morgan County; fixing the fee for issuance of pistol permits by the Sheriff and providing for distribution and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

An Act, relating to Morgan County; fixing the fee for issuance of pistol permits by the Sheriff and providing for distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Morgan County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Title 14, Section 177, Code of Alabama 1940, as last amended, shall be Five Dollars (\$5.00) and shall be collected by the Sheriff prior to the issuance of said permit.

Section 2. Of each such fee so collected, \$3.00 shall be deposited in the General Fund of the county, and \$2.00 shall be deposited in the Contingent Fund of said county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on 5/31, 6/7, 6/14, and 6/21, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me 22nd day of June, 1971.

LUCILE S. JERVIS,
Notary Public.

Also:

By Mr. Brassell:

H. 1355. To amend the title and Section 1 of Act No. 255, H. 766, Regular Session 1969 (Acts 1969, p. 587) which relates to the board of directors and compensation thereof of certain municipal corporations in certain municipalities classified on a population basis.

Also:

By Messrs. Goodwin and Reynolds:

H. 1511. To fix for the first time since 1957 the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 48,500 nor more than 50,500, according to the most recent federal decennial census, to repeal conflicting laws, and to provide a referendum.

Also:

By Messrs. Connell and Crawford:

H. 1513. Relating to Houston County; to provide for the compensation of the board of equalization and fix the number of days they shall meet each year.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to provide for the compensation of the board of equalization and fix the numbers of days they shall meet each year.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Houston County, Alabama; the members of the board of equalization in Houston County shall serve for not more than 150 days in each taxable year, the exact working period to be fixed or approved by the department of revenue, and each member shall be paid at the rate of \$25.00 per diem. Said per diem shall be paid according to the provisions of Title 51, Section 95, Code of Alabama, 1940, as amended.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 19, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1514. To regulate motor vehicles (automobile, trucks, etc.) parking on County property around the Houston County Courthouse, to set a time limit for motor vehicles to be parked, to authorize Houston County Sheriff to deputize the Houston County Maintenance Engineer for the enforcement of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To regulate motor vehicle (automobile, trucks, etc) parking on County property around the Houston County Courthouse, to set a time limit for motor vehicles to be parked, to authorize Houston County Sheriff to deputize the Houston County Maintenance Engineer for the enforcement of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County, Alabama shall deputize the Maintenance Engineer of Houston County to place a one (1) hour parking limitation for motor vehicles (automobiles, trucks, etc) parking on county property around the courthouse during courthouse hours and said deputy to have authority to place a parking ticket on any motor vehicle (automobile, truck, etc.) violating this regulation. All cases made by said deputy shall be in the Houston County Court on the date set for Sheriff's cases.

Section 2. The fine for said violations shall be set at \$3.00, plus court costs charged in similar cases for such violations, and shall be handled as in other cases made by the Sheriff of Houston County by the Clerk of said Court.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 19, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1521. To provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County shall be compensated for his services by an annual salary of \$12,000, payable in equal monthly installments out of the country treasury as the salaries of other county employees are paid.

The Sheriff and his deputies, however, be entitled to collect and retain such expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county.

Section 2. All fees, commissions, percentages, allowances, charges and court costs heretofore collectible for the use of the sheriff and his deputies including the allowances and amounts received for feeding prisoners, shall be collected and paid into the general fund of the county.

Section 3. The county governing body shall also furnish the sheriff with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment, including automobiles and necessary repairs, maintenance and all expenses incidental thereto, as are reasonably needed for the proper and efficient conduct of the affairs of the sheriff's office.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws, general, local or special, in conflict herewith are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 19, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1522. To provide for meetings of the board of registrars of Houston County and for files of registered voters in said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To provide for meetings of the board of registrars of Houston County and for files of registered voters in said county.

Section 1. This act shall apply to Houston County, Alabama.

Section 2. The board of registrars shall meet on the first Monday of each month, except when such Monday falls on a legal holiday when the courthouse is closed and then shall meet on the second Monday of the month, and shall meet an additional one hundred (100) days per year at the time and place and for the purpose as set by the board of registrars and three days public notice must be given prior to each meeting by publication in a newspaper, posting at the courthouse or both. The board of registrars shall meet at the times prescribed by general laws or the purging of lists of registered voters.

Section 3. The board of registrars shall set up and shall maintain a file of the registered voters of Houston County. The necessary supplies, equipment and clerical help for such file shall be furnished by the board of county commissioners, board of revenue or like governing body of said county as now authorized by law.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 19, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Crowe and Naramore:

H. 1526. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Also:

By Messrs. Warren and Mims:

H. 1528. To repeal Act No. 234, H. 228, approved August 15, 1963, Regular Session 1963 (Acts 1963, p. 635), entitled, "An Act relating to counties having populations of not less than 17,400 nor more than 17,800 inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1112, 1113, 1114, 1115, 1116, 1227, 1228, 1355, 1511, 1513, 1514, 1521, 1522, 1526 and 1528. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Benton and Kinsey:

H. 1555. To amend the title and Section 1 of Act No. 616, H. 1163, approved August 26, 1965 (Acts of Alabama, 1965, Vol. II, Page 1130) entitled "An Act to regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200, according to the most recent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1556. To amend the Title and Section 1 of Act No. 171, S. 109, approved April 5, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 222) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,750; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1557. To amend the title and Section 1 of Act No. 236, H. 270, approved September 2, 1964 (Acts of Alabama, Special Sessions 1964, Vol. I, Page 321) entitled "An Act to fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1558. To amend the title and Section 1 of Act No. 180, H. 221, approved August 28, 1964 (Acts of Alabama, Special Sessions 1964, Vol. I,

Page 246) entitled "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1559. To amend the title and Section 1 of Act No. 363, H. 757, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 383) entitled "An Act to provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1560. To amend the title and Section 1 of Act No. 345, H. 639, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 365) entitled "An Act to empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1561. To amend the title and Section 1 of Act No. 350, H. 644, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 368), entitled "An Act relating to corporations organized to operate municipal water, sewer, gas, and electric systems, regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than 49,500, according to the 1960 or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1562. To amend the title and Section 1 of Act No. 349, H. 643, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 367) entitled "An Act relating to all counties having a population of not less than

48,500 nor more than 49,500 according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1563. To amend the title and Section 1 of Act No. 846, H. 1529, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1263) entitled "An Act relating to the appointment, duties, and compensation of the county treasurer in all counties having populations of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1564. To amend the title and Section 1 of Act No. 845, H. 1528, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1262) entitled "An Act to authorize the employment of an administrative assistant to the governing body of any county having a population of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1565. To amend the title and Section 1 of Act No. 439, H. 641, approved August 28, 1953 (Acts of Alabama 1953, Vol. I, Page 546) entitled "An Act relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a waterworks, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Cauthen and Slate:

H. 1687. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of

voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Cauthen and Slate:

H. 1688. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Slate and Cauthen:

H. 1689. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Also:

By Messrs. Slate and Cauthen:

H. 1690. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Slate and Cauthen:

H. 1691. To amend the Title and Section I of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Cauthen and Slate:

H. 1692. Relating to counties having a population of not less than 75,000 nor more than 90,000; to authorize the county commission to establish a contingent fund for the payment of certain equitable and just claims and other expenses.

Also:

By Messrs. Coshatt and Reid (R):

H. 1695. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two

counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

Also:

By Messrs. Crowe and Naramore:

H. 1698. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the Inferior Court of Walker County shall receive in addition to all other compensation now, or hereafter provided by law, an expense allowance of \$150 per month. Such allowance shall be paid out of the general funds of the county as prescribed by law.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Crowe and Naramore:

H. 1699. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. On all actions, suits, cases and proceedings hereafter filed in the Inferior Court of Walker County, there shall be charged a trial fee of five dollars, which shall be collected as other costs are collected and paid into the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Crowe and Naramore:

H. 1700. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. All employees of Walker County whose compensation is paid entirely by the county shall become members of and participants in the State Employees' Retirement System in the manner and according to the procedure prescribed in Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734) as amended; and the Walker County Commission, shall, within six months from the effective date of this Act, adopt such resolutions, make such agreements, and take such action as may be necessary to effectuate the purposes of this Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 15, 1971.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Reynolds and Goodwin:

H. 1703. To provide for an increase in the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1687, 1688, 1689, 1690, 1691, 1692, 1695, 1698, 1699, 1700 and 1703. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Benton and Kinsey:

H. 1543. To amend the title and Section 1 of Act No. 407, H. 1, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 798) entitled "An Act relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general funds of the county; and defining terms" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1544. To amend the title and Section 1 of Act No. 898, H. 1265, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1624) entitled "An Act applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1545. To amend the title and Section 1 of Act No. 895, H. 1262, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1622) entitled "An Act to provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census and to provide an effective date.

Also:

By Messrs. Connell and Crawford:

H. 1542. Relating to Houston County; to provide additional expense allowances for members of the County Board of Education in such county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to provide additional expense allowances for members of the County Board of Education in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the County Board of Education of Houston County shall each be entitled to expenses in the amount of \$100.00 per month. Such allowance shall be in addition to all other allowances provided by law and shall be payable from the public school funds of the county at the end of each month.

Section 2. All laws and parts of laws in conflict herewith are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Adv. Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 18, 25, July 2, 9, 1971, in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 9th day of July, 1971.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Kinsey and Benton:

H. 1546. To amend the title and Section 1 of Act No. 931, H. 1345, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1669) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations"

so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1547. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1548. To amend the title and Section 1 of Act No. 930, H. 1343, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1668) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business of certain county officers" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1549. To amend the title of Act No. 589, H. 594, approved September 8, 1967 (Acts of Alabama, 1967, Vol. II, Page 1362) entitled "An Act to amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1550. To amend the title and Section 1 of Act No. 545, S. 604, approved September 7, 1967 (Acts of Alabama, 1967, Vol. II, Page 1294) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500; providing an additional allowance for the tax assessors and tax collectors of such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1551. To amend the title and Section 1 of Act No. 60, H. 5, approved August 17, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 82) entitled "An Act to apply only in counties in the state having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1552. To amend the title and Section 1 of Act No. 182, S. 128, approved August 23, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 215) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500 according to the most recent federal decennial census; authorizing the county governing body to contribute county funds towards the construction and equipment of a museum" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Benton and Kinsey:

H. 1553. To amend the title and Section 1 of Act No. 354, H. 356, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 495) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500; regulating official bonds of county officers and employees and repealing conflicting laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Kinsey and Benton:

H. 1554. To amend the title and Section 1 of Act No. 396, H. 903, approved August 16, 1965 (Acts of Alabama, 1965, Vol. I, Page 573), entitled "An Act to provide an expense allowance for each circuit judge of all judicial circuits, composed of only one county, which has a population of not less than 48,020 nor more than 49,750, according to the most recent federal decennial census, when the circuit judge is ex officio judge of the juvenile court; and to provide for the payment of such

expense allowance out of the general fund of the county" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1543, 1544, 1545, 1542, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553 and 1554. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brassell and Adams:

H. 1770. To change the composition of the Board of Education of Phenix City, in Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the composition of the Board of Education of Phenix City, in Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The general administration and supervision of the public schools and educational interest of Phenix City, Alabama shall be vested in a city board of education, to be composed of seven members who shall be residents of said city and who shall not be members of the city governing body. The members of the city board of education shall be elected by the City governing body in accordance with Code of Alabama 1940, Title 52, Chapter 8, and the functions and duties of said board shall be subject to the provisions of said chapter.

Section 2. The City governing body shall, within sixty days after the effective date of this act, elect two new members to the board in addition to the five members now serving. One of the new members shall serve for a term of four years, and one shall serve for five years. Thereafter, all members shall serve for five years in accordance with the general law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Franklin D. Prince, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

FRANKLIN D. PRINCE.

Sworn to and subscribed before me July 16, 1971.

CAROLYN S. DUDLEY,
Notary.

Also:

By Messrs. Brassell and Adams:

H. 1771. To amend Sections 1 and 2 of Act No. 17, H. 125, Regular Session 1947, which act created a hospital commission for Phenix City, in Russell County, by increasing the membership and authority of said commission.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Sections 1 and 2 of Act No. 17, H. 125, Regular Session 1947, which act created a hospital commission for Phenix City, in Russell County, by increasing the membership and authority of said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 17, H. 125, Regular Session 1947, is hereby amended to read as follows:

"Section 1. The hospital commission of Phenix City, Alabama shall be composed of the five members now serving, and two additional members to be appointed by the city governing body within sixty days from the effective date of this act. Of the two members newly appointed, one shall serve for a term of four years and one shall serve for term of five years. At the expiration of the terms of the newly appointed members, all members shall serve for terms of five years, and all shall be appointed by the city governing body. All members shall take the oath of office prescribed by law before entering upon the discharge of their duties. No member shall hold any other public office."

Section 2. Section 2 of Act No. 17, H. 125, Regular Session 1947 is hereby amended to read as follows:

"Section 2. Said Commission shall have power and authority to construct, equip and operate a city hospital or hospitals within the City limits of said City and the police jurisdiction thereof in Russell County, Alabama, and all hospitals which have heretofore been constructed or acquired by the City of Phenix City, Alabama, shall be operated by said Commission and it shall be the duty of the governing body of said City of Phenix City, Alabama, to deliver over to said hospital Commission all hospital facilities owned by the City immediately upon the appointment of said hospital commission. In carrying out the provisions of this Act, said hospital commission of said City shall have the exclusive rights to employ all of the personnel necessary to operate said hospital facilities and each of said employees shall serve at the will of said Commission. Said Commission shall also be authorized to change the fiscal year of any institution under its control, and to alter its accounting system accordingly."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Franklin D. Prince, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

FRANKLIN D. PRINCE.

Sworn to and subscribed before me July 16, 1971.

CAROLYN S. DUDLEY,
Notary.

Also:

By Messrs. Brassell and Adams:

H. 1772. To provide for payment of fees of state witnesses in certain cases from the general funds of Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for payment of fees of state witnesses in certain cases from the general funds of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The fees of state witnesses in all civil and criminal cases both at law and in equity in the Russell County circuit court or in the Court of Common Pleas of Russell County or in any court having like jurisdiction in said county or before the grand jury of Russell County shall be payable out of the general funds of the county immediately upon their presentation. All such witness fees collected by the clerk of court shall be paid by him into the general fund of the county treasury at the end of each month.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Franklin D. Prince, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

FRANKLIN D. PRINCE.

Sworn to and subscribed before me July 16, 1971.

CAROLYN S. DUDLEY,
Notary.

Also:

By Messrs. Dill, Falkenburg, Parker (H), Weeks, Jones (E), Boutwell, Wallace and Timmons:

H. 536. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct off-street parking facilities, including real property therefor, within 350 feet of a county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having

offices in the courthouse, to operate or lease to others such off-street parking facilities, to levy and collect or to fix charges and fees for the use of such off-street parking facilities and to accept grants with respect to such facilities, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facilities shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Also:

By Messrs. Parker (H), Timmons, Boles, Jones (E), Erdreich, Falkenburg, Doss and Ellis:

H. 78. Relating to cities having populations of 300,000 or more; to regulate the power and authority of such cities to levy or impose privilege license taxes on employees working for wages, salaries or other compensation in such cities.

Also:

By Messrs. Jones (E), Waggoner, Boles, McBride, Wallace, Timmons, Parker (H), Adwell and Boutwell:

H. 1094. To provide retirement allowances for elected officials and former elected officials of all municipalities of the state having a population of 300,000 or more according to the last and any subsequent federal census.

Also:

By Messrs. Stubbs and Lyons:

H. 1004. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

Also:

By Mr. Stubbs:

H. 1121. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for noncompliance, all pertaining to the Workmen's Compensation Law.

Also:

By Mr. Stubbs:

H. 1122. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2C of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

Also:

By Messrs. Connell, Mims, Crawford, Smith (P), and Culver:

H. 991. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963, (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163), an Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1770, 1771, and 1772. To the Committee on Local Legislation No. 1.

H. B.'s 536, 78 and 1094. To the Committee on Local Legislation No. 2.

H. B.'s 1004, 1121 and 1122. To the Committee on Business and Labor.

H. E. 991. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Therrell and Jones (F):

H. 221. Creating a bureau of credit unions, the position of supervisor of the bureau of credit unions and a credit union board; providing for the qualifications, duties and responsibilities of the bureau, the supervisor and the board members; and further providing for the examination and supervision of credit unions by the bureau and for the expenses of operating the bureau.

Also:

By Messrs. Therrell and Jones (F):

H. 223. Amending Code of Alabama 1940, Title 28, Sections 291, 297, and 298, all of which relate to the business of credit unions, so as to provide further for the approval and making of loans by credit unions and for reserve funds and dividends of credit unions.

Also:

By Messrs. Jones (F) and Therrell:

H. 264. Amending Code of Alabama 1940, Title 28, Sections 285, 293 and 295, all of which relate to credit unions, so as to provide further for lending by such unions, for investments by such unions, for collection by such unions of entrance fees and for loans to officials of the union.

Also:

By Messrs. Boles, Parker (H) and Jones (E):

H. 793. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Also:

By Messrs. McDonald and Lyons:

H. 976. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

Also:

By Messrs. McDonald and Lyons:

H. 977. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 221, 223, 264, 793, 976 and 977. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Owens and Stewart:

H. 844. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependants of city policemen or other municipal law enforcement officers or state troopers who, while employed by a municipality, are killed in the line of duty.

Also:

By Messrs. Casey and Jackson:

H. 766. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 844 and 766. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 1028. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

Also:

By Messrs. Culver and Smith (P):

H. 1245. To amend Section 8 of Act No. 434, H. 706, Legislature of 1969, Regular Session, approved August 19, 1969 (Acts of 1969, p. 840), an

Act to regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances by amending said Section 8 of said Act to authorize the State Board of Agriculture and Industries to provide an alternate method of payment of the per ton inspection fee levied upon the sale of commercial fertilizers sold in Alabama or sold for importation and use therein.

Also:

By Mr. Hardin:

H. 1049. To rename the Department of Conservation; to rename the Division of Seafoods of the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. E. 1028. To the Committee on Education.

H. B. 1245. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1049. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Coshatt:

H. J. R. 121. Commending Army Sergeant John F. Cannon of Pell City upon winning the bronze star in Viet Nam.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 121, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

BILLS ON THIRD READING

The Bill:

H. 523. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	McLain	Register
Branyon	Foshee	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Hawkins	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 8. To further amend the title and Section 1 of Act No. 171, H. 223, Special Session 1961, approved September 15, 1961, as last amended, in relation to expense allowances of members of the county governing body of all counties having a population of not less than 24,525 nor more than 24,675.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Branyon	Givhan	Lindsey	Pierce
Clark	Hammond	McLain	Register
Cook	Harris	Malone	Shelby
Cooper	Hawkins	Noonan	Wilder
Edington	Horne	Owen	Wilson
Fine	Jones		

—25

Nays:

—0

The Bill:

H. 522. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

was taken up.

Mr. Wilson offered the following amendment to the Bill, H. B. 522, to-wit:

AMENDMENT TO H. B. 522

In Section 1, strike out the words and figures: "four hundred fifty dollars (\$450)," and insert in lieu thereof the words and figures: four hundred dollars (\$400)

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Givhan	Lindsey	Pierce
Clark	Hammond	Littleton	Register
Cook	Harris	Lybrand	Shelby
Dozier	Hawkins	Noonan	Vacca
Edington	Horne	Owen	Wilson
Fine	Jones		

—25

Nays:

—0

And said Bill, H. B. 522, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Dozier	Hawkins	McLain	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 422. To repeal Act No. 1031, S. 624, approved September 9, 1961, entitled, "An Act providing further for the compensation of members of the jury commission in counties having a population of not less than 24,550 nor more than 24,650 inhabitants, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1617).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	Owen	Weaver	
Clark	Harris	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 771. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 110,000 people and not more than 150,000 people, according to the last and any subsequent decennial Federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Gilmore
Carr	Cooper	Edington	Givhan
Clark	Dominick	Fine	Hammond

Harris	King	Pelham	Weaver	
Hawkins	Lindsey	Pierce	Wilder	
Horne	Noonan	Shelby	Wilson	
Jones	Owen			—25
<i>Nays:</i>				—0

The Bill:

S. 772. To apply only in counties in the state having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Clark	Foshee	Lindsey	Vacca	
Cook	Hammond	Littleton	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 773. To authorize the governing bodies of all counties having populations of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Clark	Foshee	Lindsey	Vacca	
Cook	Hammond	Littleton	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 774. Relating to the office of commissioner of licenses in counties having populations of not less than 110,000 nor more than 150,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pierce	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 775. Relating to counties having populations of not less than 110,000 nor more than 150,000 inhabitants; authorizing the county governing body to pay the premiums on the official bonds of certain county employees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	Noonan	Weaver	
Cooper	Givhan	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 776. Providing further for the operation of the county board of equalization of each county having a population of not less than 110,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board and providing for the employment of clerks and other employees of the board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Shelby	
Carr	Givhan	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 777. Relating to counties having a population of not less than 110,000 nor more than 150,000; fixing the compensation of certain officers in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Shelby	
Clark	Givhan	Lindsey	Vacca	
Cook	Hammond	Littleton	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 779. To apply only in counties having populations of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Cook	Gilmore	McLain	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 780. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing further for the compensation of certain officers of the inferior courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Shelby
Cook	Gilmore	McLain	Weaver
Cooper	Horne	Malone	Wilder
Dominick	Jones	Noonan	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 781. Relating to counties having a population of not less than 110,000 nor more than 150,000; providing expense allowances for certain officers in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Bailes	Hammond	Littleton	Shelby
Cooper	Harris	McLain	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Horne	Owen	Wilder
Edington	Jones	Pelham	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 782. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	Lybrand	Vacca
Carr	Gilmore	McLain	Weaver
Clark	Givhan	Owen	Wilder
Cook	Hawkins	Pelham	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 783. To fix the supplemental salaries of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 110,000 people and is less than 150,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Branyon	Fine	King	Pierce	
Clark	Foshee	Lindsey	Shelby	
Cook	Gilmore	Littleton	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 784. To impose extra, new, and additional duties upon the circuit clerks of any county of the State having a population of not less than 110,000 nor more than 150,000 inhabitants; to provide additional compensation for the performance of such duties; and to provide for the payment of the same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 785. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Branyon	Fine	King	Pierce	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 786. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of at least seven hundred fifty thousand dollars, whose principal place of business is situated in counties having a population according to the 1970 or any subsequent decennial census of the United States of not less than 110,000 nor more than 150,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which the principal place of business of said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Carr	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 787. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 150,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Carr	Hawkins	Malone	Weaver	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 788. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Shelby	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Shelby, further consideration of the Bill, S. B. 790, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 789. To provide and providing that in all counties in Alabama whose population is not less than 110,000 people and not more than 150,000 people according to the 1970 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Shelby	
Cook	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 791. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Givhan	Lybrand	Shelby
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Noonan	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 792. Relating to counties having populations of not less than 110,000 nor more than 150,000; to provide an additional alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lybrand	Shelby
Clark	Gilmore	McLain	Weaver
Cooper	Givhan	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 793. Relating to all cities in the State of Alabama having a population of not less than 60,000 people nor more than 80,000 people, according to the last or any succeeding regular federal decennial census; providing for a special referendum in any such city for the purpose of giving the qualified electors of the city an opportunity to express themselves for or against the participation by such city in an Urban Renewal Project; authorizing an expenditure from general funds of such municipality to pay the cost of such election; and authorizing expenditures from the general fund of such city to pay the cost of any election heretofore held prior to the adoption of this act; and approving prior expenditures for such elections which have been heretofore held.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	Malone	Weaver
Cooper	Givhan	Noonan	Wilder
Dominick	Hammond	Owen	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 812. To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	Malone	Shelby	
Cook	Horne	Noonan	Wilder	
Cooper	Jones	Owen	Wilson	
Foshee	King			—25

Nays: —0

The Bill:

S. 813. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Foshee	King			—25

Nays: —0

The Bill:

S. 814. To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	McLain	Vacca	
Dominick	Hawkins	Malone	Weaver	
Dozier	Horne	Noonan	Wilder	
Edington	Jones	Owen	Wilson	
Foshee	King			—25

Nays: —0

The Bill:

S. 816. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Register
Clark	Gilmore	Malone	Shelby
Cooper	Harris	Noonan	Vacca
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 817. Providing an expense allowance for the tax assessor of Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Harris	Lybrand	Register
Clark	Hawkins	McLain	Shelby
Cooper	Horne	Malone	Vacca
Dominick	Jones	Owen	Weaver
Edington	King		

—25

Nays:

—0

The Bill:

S. 818. Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Shelby
Branyon	Foshee	Lindsey	Vacca
Clark	Gilmore	Littleton	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 819. To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Vacca	
Dominick	Jones	Owen	Weaver	
Dozier	King			—25

Nays: —0

The Bill:

S. 820. Providing further for the compensation and allowances of jurors in Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Hammond	Littleton	Register	
Branyon	Harris	Lybrand	Shelby	
Clark	Hawkins	Malone	Vacca	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 821. Providing an additional deputy circuit clerk for Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	McLain	Register	
Clark	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 822. Providing an expense allowance for the probate judge of Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Vacca	
Carr	Foshee	Malone	Weaver	
Clark	Gilmore	Noonan	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 823. Relating to Barbour County; providing an additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Givhan	Littleton	Register	
Carr	Harris	Lybrand	Shelby	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Owen	Wilder	
Cooper	Jones	Pelham	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 824. Providing clerk hire allowances for probate judges of Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Edington	Hawkins	Noonan	Weaver	
Fine	King			—25

Nays: —0

The Bill:

S. 825. Providing an expense allowance for the tax collector of Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cooper	Horne	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 826. Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Givhan	Lindsey	Vacca	
Clark	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 827. Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Bailes	Hammond	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cooper	Horne	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 828. To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Shelby
Branyon	Foshee	Lindsey	Vacca
Clark	Hammond	Littleton	Weaver
Cooper	Harris	Lybrand	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 829. To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register
Bailes	Gilmore	McLain	Shelby
Branyon	Givhan	Malone	Vacca
Clark	Hammond	Noonan	Weaver
Cooper	Harris	Owen	Wilder
Dominick	Hawkins	Pierce	Wilson
Dozier	Littleton		

—25

Nays:

—0

The Bill:

S. 830. To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Register	
Bailes	Fine	Lybrand	Shelby	
Branyon	Foshee	McLain	Vacca	
Clark	Gilmore	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 831. To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Hammond	Littleton	Pelham	
Branyon	Harris	Lybrand	Pierce	
Clark	Hawkins	McLain	Weaver	
Cooper	Horne	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 832. To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 833. To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 834. To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 835. To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 836. To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	McLain	Shelby	
Branyon	Foshee	Malone	Vacca	
Clark	Gilmore	Noonan	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 837. To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Weaver	
Cooper	Givhan	Lybrand	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

Nays: —0

The Bill:

S. 838. To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Malone	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cooper	Givhan	Lybrand	Vacca	
Dominick	Hawkins	McLain	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 839. To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Register	
Bailes	Hawkins	Malone	Shelby	
Branyon	Horne	Noonan	Vacca	
Clark	Jones	Owen	Weaver	
Cooper	King	Pelham	Wilder	
Dominick	Lindsey	Pierce	Wilson	
Gilmore	Lybrand			—25

Nays:

—0

The Bill:

S. 840. To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court." (Acts of Alabama 1965, p. 49).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Harris	Lybrand	Weaver	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 841. To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Fine	Lybrand	Shelby	
Branyon	Harris	McLain	Vacca	
Clark	Hawkins	Malone	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 842. To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	Malone	Shelby	
Cooper	Givhan	Noonan	Vacca	
Dominick	Hammond	Owen	Weaver	
Dozier	Harris			—25

Nays: —0

The Bill:

S. 843. To repeal Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Vacca	
Clark	Gilmore	Littleton	Weaver	
Cooper	Givhan	Lybrand	Wilder	
Dominick	Hawkins	McLain	Wilson	—25
Dozier	Horne			—0

Nays:

The Bill:

S. 844. To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cooper	Givhan	Lybrand	Register	
Dominick	Hammond	McLain	Shelby	
Dozier	Horne	Malone	Vacca	
Edington	Jones	Owen	Wilson	—25
Fine	King			—0

Nays:

The Bill:

S. 845. To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Vacca	
Dominick	Hammond	Noonan	Weaver	—25
Dozier	Horne			—0

Nays:

The Bill:

S. 851. To apply in all counties having populations of not less than 11,500 nor more than 12,500, providing clerk-hire allowances for certain county officers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 854. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Dominick	Hawkins	McLain	Vacca	
Dozier	Horne	Malone	Wilder	
Edington	Jones	Noonan	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 855. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Dominick	Hammond	McLain	Weaver	
Dozier	Harris	Malone	Wilder	
Edington	Hawkins	Noonan	Wilson	
Fine	King			—25

Nays: —0

The Bill:

S. 856. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Harris	Noonan	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 857. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Weaver	
Dozier	Horne	Noonan	Wilder	
Edington	Jones	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 858. To provide that the presiding officer of the county commission of all counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census shall be officially known and designated as the Chairman of the County Commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Malone	
Bailes	Fine	King	Noonan	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Weaver	
Cook	Hawkins	McLain	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 217. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution, and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Horne	Malone	Wilder	
Cook	Jones	Noonan	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 225. Relating to Marion County, Alabama, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	King	Pelham	Wilder	
Cook	Lindsey	Pierce	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 227. Relating to Marion County; providing an additional expense allowance for the members of the governing body of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 251. To provide that school bus drivers in counties having a population of not less than 16,600 nor more than 16,950, according to the most recent federal decennial census, shall not be required to meet any minimum age requirements so long as they are duly licensed drivers and meet all other requirements of general law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Dozier	King	Noonan	
Branyon	Fine	Lindsey	Pelham	
Carr	Hammond	Littleton	Shelby	
Clark	Harris	Lybrand	Vacca	
Cook	Hawkins	McLain	Wilson	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 376. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Register	
Bailes	Hammond	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

H. 419. To fix the compensation of the Assistant District Attorney in counties having a population of not less than 16,600 nor more than 16,950.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Noonan	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 423. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of the jury commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham	
Bailes	Dozier	Littleton	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 31. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hawkins	Owen	Weaver	
Clark	King	Pelham	Wilder	
Cook	Lindsey	Pierce	Wilson	
Dozier	Littleton			—25

Nays: —0

The Bill:

H. 425. To amend the title and Section 1 of Act No. 396, H. 1025, Regular Session 1969 (Acts 1969, p. 771), which Act relates to the meetings of boards of registrars of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Dozier	King	Noonan	
Branyon	Foshee	Lindsey	Pelham	
Carr	Hammond	Littleton	Pierce	
Clark	Harris	Lybrand	Wilder	
Cook	Hawkins	McLain	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 426. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which Act regulates further the conduct of certain municipal elections in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Hammond	Littleton	Register	
Branyon	Harris	McLain	Vacca	
Carr	Hawkins	Malone	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 427. To amend the title and Section 1 of Act No. 472, H. 596, Regular Session 1967 (Acts 1967, p. 1162), which Act provides for an allowance for clerical assistance for tax assessors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Harris	Lybrand	Shelby	
Carr	Hawkins	McLain	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilder	
Cooper	King			—25

Nays: —0

The Bill:

H. 474. To further amend the title and Section 1 of Act No. 409, H. 809, Regular Session 1955 (Acts 1955, p. 954), as last amended which provides for the furnishing of equipment, supplies, and additional clerks to the tax assessor and tax collectors of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Pelham	
Bailes	Givhan	Lindsey	Pierce	
Branyon	Hammond	McLain	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Fine	Jones			—25

Nays: —0

The Bill:

H. 476. To further amend the title and Section 1 of Act No. 42, S. 73, Special Session 1964 (Acts 1964, p. 61), which Act provides for regulating the compensation of members of the county commission of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Register	
Bailes	Hammond	Lybrand	Shelby	
Branyon	Harris	McLain	Vacca	
Carr	Hawkins	Malone	Weaver	
Clark	Jones	Noonan	Wilder	
Dozier	King	Owen	Wilson	
Gilmore	Lindsey			—25

Nays: —0

The Bill:

H. 477. To amend the title and Section 1 of Act No. 361, S. 530, Regular Session 1967 (Acts 1967, p. 922), which Act provides for the creation of departments of engineering for certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Bailes	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Harris	Owen	Wilder	
Cook	Jones	Pierce	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 553. Relating to Sumter County: To regulate the amount of and the manner of paying the compensation of the Chief Clerk of the Tax Assessor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Hammond	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 554. To repeal Act No. 215, H. 372, approved August 30, 1966, entitled, "An Act To regulate the amount of and the manner of paying the compensation of the Chief Clerks of the Tax Assessors of all counties having populations of not less than 20,000 nor more than 21,000 according to the most recent federal decennial census." (Acts of Alabama 1966, Vol. I, page 267).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Hammond	Noonan	Vacca	
Dozier	Harris	Owen	Weaver	
Edington	Jones	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 555. Relating to Sumter County; providing for the operation of non-profit ambulance services by the municipalities of Livingston and York in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	Owen	Weaver	
Dominick	Jones	Pelham	Wilder	
Dozier	Lindsey	Pierce	Wilson	
Edington	Lybrand			—25

Nays: —0

The Bill:

H. 556. Relating to Sumter County; authorizing the Sumter County Commission to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 557. To repeal Act No. 547, S. 606, approved September 7, 1967, entitled, "An Act To amend Section 28 (1), Subdivision 1, Article 23A, Title 14A of the Code of Alabama, Recompiled 1958, 1965 Cumulative Supplement, as last amended (1961, p. 455, appvd. Aug. 7, 1961), providing for additional clerk in office of judge of probate, and fixing the compensation therefor." (Acts of Alabama 1961, Vol. II, p. 1296).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Hammond	Noonan	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 558. To repeal Act No. 427, H. 928, approved August 7, 1961, entitled, "An Act To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Hammond	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 559. Relating to Sumter County; to provide for an additional clerk for the probate judge, and fixing compensation thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Branyon	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 611. To amend the title and Section 1 of Act No. 383, H. 882, Regular Session 1963 (Acts 1963, p. 887), which Act provides further for the compensation and expense allowance of county superintendents of education of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	Harris	Owen	Wilder	
Cooper	Jones	Pierce	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 612. To amend the title and Section 1 of Act No. 86, H. 193, Second Special Session 1965 (Acts 1965, p. 116), which Act provides further for the maintenance and care of ancient cemeteries or burial grounds by municipal corporations in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Pierce	
Carr	Gilmore	Lindsey	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Fine	Horne			—25

Nays:

—0

The Bill:

H. 613. To amend the title and Section 1 of Act No. 355, H. 357, Special Session 1966 (Acts 1966, p. 496), which Act provides further for official bonds of public officers and employees in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Bailes	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Horne	Malone	Weaver	
Cook	Jones	Noonan	Wilder	
Dominick	King	Pierce	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

H. 614. To amend the title and Section 1 of Act No. 649, H. 874, Regular Session 1967 (Acts 1967, p. 1470), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 615. To amend the title and Section 1 of Act No. 650, H. 875, Regular Session 1967 (Acts 1967, p. 1471), which Act provides further for the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 616. To amend the title and Section 1 of Act No. 517, H. 881, Regular Session 1963 (Acts 1963, p. 1105), which Act provides that the clerks of county courts or other inferior courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants in felony cases, and issue search warrants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 617. To amend the title and Section 1 of Act No. 356, H. 358, Special Session 1966 (Acts 1966, p. 497), which Act provides further for the duties and fees of sheriffs relative to county or inferior courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	Harris	Owen	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 618. To amend the title and Section 1 of Act No. 357, H. 359, Special Session 1966 (Acts 1966, p. 497), which Act relates to pistol permits in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	Owen	Weaver	
Dominick	Horne	Pelham	Wilder	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 619. To amend the title and Section 1 of Act No. 340, H. 630, Regular Session 1961 (Acts 1961, p. 362), which Act relates to the compensation of members of the county governing body in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Register	
Bailes	Givhan	Malone	Shelby	
Branyon	Hammond	Noonan	Vacca	
Cook	Jones	Owen	Weaver	
Cooper	King	Pelham	Wilder	
Dominick	Lindsey	Pierce	Wilson	
Foshee	Lybrand			—25

Nays:

—0

The Bill:

H. 620. To amend the title and Section 1 of Act No. 1121, H. 1110, Regular Session 1969 (Acts 1969, p. 2076), which Act provides further for the insuring of certain public school buildings and property in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hammond	Noonan	Vacca	
Cook	Harris	Owen	Weaver	
Dominick	Jones	Pelham	Wilder	
Fine	King			—25

Nays:

—0

The Bill:

H. 621. To amend the title and Section 1 of Act No. 129, H. 240, Special Session 1966 (Acts 1966, p. 163), which Act provides further for branch banks in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 622. To amend the title and Section 1 of Act No. 384, H. 883, Regular Session 1963 (Acts 1963, p. 887), which act provides an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Register	
Bailes	Fine	King	Shelby	
Clark	Foshee	Lindsey	Vacca	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 623. To amend the title and Section 1 of Act No. 337, H. 627, Regular Session 1961 (Acts 1961, p. 361), which Act provides that clerks of county courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 624. To amend the title and Section 1 of Act No. 341, H. 1111, Regular Session 1969 (Acts 1969, p. 1545), which Act provides further for deputies for the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Branyon	Foshee	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 625. To amend the title and Section 1 of Act No. 339, H. 629, Regular Session 1961 (Acts 1961, p. 362), which Act relates to certain duties of boards of registrars in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Malone	Wilder	
Cook	Givhan	Noonan	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 626. To amend the title and Section 1 of Act No. 343, H. 633, Regular Session 1961 (Acts 1961, p. 364), which Act provides for the payment of the salaries of certain employees on a semi-monthly basis in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McLain	Register	
Bailes	Givhan	Malone	Shelby	
Branyon	Hammond	Noonan	Vacca	
Carr	Harris	Owen	Weaver	
Clark	Hawkins	Pelham	Wilder	
Cook	Lindsey	Pierce	Wilson	
Cooper	Lybrand			—25

Nays:

—0

The Bill:

S. 798. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Cook	Gilmore	McLain	Weaver	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 288. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Malone	
Bailes	Gilmore	King	Noonan	
Clark	Givhan	Lindsey	Pelham	
Cook	Hammond	Littleton	Pierce	
Cooper	Harris	Lybrand	Register	
Edington	Hawkins	McLain	Weaver	
Fine	Horne			—25

Nays:

—0

The Bill:

H. 653. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Dozier	Harris	Malone	Vacca	
Edington	Jones	Noonan	Weaver	
Fine	King			—25

Nays:

—0

The Bill:

H. 699. To repeal Act No. 267, H. 597, approved August 24, 1939 (Local Acts 1939, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a department or agency of the state authorized to make such audits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Givhan	Littleton	Pelham	
Clark	Harris	Lybrand	Pierce	
Dominick	Hawkins	McLain	Register	
Dozier	Horne	Malone	Shelby	
Edington	Jones	Noonan	Vacca	
Fine	King			—25

Nays:

—0

The Bill:

H. 705. To amend the title and Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), which Act provides further for an expense allowance for members of the governing body of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Hammond	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 706. To amend the title and Section 1 of Act No. 125, H. 228, Special Session 1966 (Acts 1966, p. 160), which Act re-designates the office of county or deputy solicitor as the office of assistant district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Horne	Register	
Bailes	Foshee	Lindsey	Shelby	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Edington	Hawkins			—25

Nays:

—0

The Bill:

H. 707. To amend the title and Section 1 of Act No. 86, H. 117, Regular Session 1963 (Acts 1963, p. 465), which Act provides further for an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Lybrand	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dozier	Horne	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 708. To amend the title and Section 1 of Act No. 482, H. 873, Regular Session 1961 (Acts 1961, p. 542), which Act provides further for forest protection districts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Jones	Noonan	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 709. To amend the title and Section 1 of Act No. 32, S. 17, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the employment for a deputy clerk in the office of clerk of the circuit court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 710. To amend the title and Section 1 of Act No. 343, H. 857, Regular Session 1963 (Acts 1963, p. 834), which Act provides for the appropriation of county funds to municipal industrial development boards within or without certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hawkins	McLain	Weaver	
Cooper	Horne	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 711. To amend the title and Section 1 of Act No. 33, S. 18, Special Session 1962 (Acts 1962, p. 43), which Act provides further for the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	Malone	Shelby	
Cooper	Harris	Malone	Vacca	
Edington	Hawkins	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 712. To amend the title and Section 1 of Act No. 45, H. 68, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for the compensation and allowance of certain election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	McLain	Register	
Cook	Hammond	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Edington	Jones	Owen	Weaver	
Fine	King			—25

Nays: —0

The Bill:

H. 713. To amend the title and Section 1 of Act No. 46, H. 69, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for a clerk-hire allowance for certain officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	McLain	Vacca	
Carr	Gilmore	Noonan	Weaver	
Cooper	Harris	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 714. To amend the title and Section 1 of Act No. 30, S. 15, Special Session 1962 (Acts 1962, p. 41), which Act provides further for the appointment of a deputy sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	Lybrand	Vacca	
Cook	Hammond	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pierce	Wilson	
Fine	King			—25

Nays: —0

The Bill:

H. 715. To amend the title and Section 1 of Act No. 100, H. 303, Regular Session 1963 (Acts 1963, p. 484), which Act provides further for the salary or compensation of school bus drivers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	Lybrand	Weaver
Cook	Hammond	McLain	Wilder
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 716. To amend the title and Section 1 of Act No. 85, H. 116, Regular Session 1963 (Acts 1963, p. 464), which Act prescribes the amount of the official bond required of the tax collector in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham
Bailes	Dozier	Lindsey	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	McLain	Vacca
Clark	Harris	Malone	Wilder
Cook	Hawkins	Noonan	Wilson
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 717. To amend the title and Section 1 of Act No. 153, H. 541, Regular Session 1965 (Acts 1965, p. 218), which Act provides an expense allowance for members of the board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	Pierce	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 718. To amend the title and Section 1 of Act No. 254, H. 763, Regular Session 1969 (Acts 1969, p. 586), which Act provides further for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 719. To amend the title and Sections 1 and 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Hammond	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Dozier	Horne	Owen	Weaver	
Edington	Jones	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 720. To amend the title and Section 1 of Act No. 387, H. 969, Regular Session 1969 (Acts 1969, p. 764), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Vacca	
Cooper	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 721. To amend the title and Section 1 of Act No. 603, H. 689, Regular Session 1967 (Acts 1967, p. 1393), which Act provides further for the compensation of the chairman and members of the court of county commissioners of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lybrand	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	Harris	Owen	Wilder	
Cook	Jones	Pierce	Wilson	
Cooper	Lindsey			—25

Nays:

—0

The Bill:

H. 722. To amend the title and Section 1 of Act No. 436, H. 952, Regular Session 1963 (Acts 1963, p. 967), which Act levies a tobacco tax in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edgington	Jones	Pelham	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 723. To amend the title and Section 1 of Act No. 84, H. 115, Regular Session 1963 (Acts 1963, p. 464), which Act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Harris	Owen	Weaver	
Cook	Hawkins	Pelham	Wilder	
Cooper	Lindsey			—25

Nays:

—0

The Bill:

H. 724. To amend the title and Section 1 of Act No. 83, H. 114, Regular Session 1963 (Acts 1963, p. 463), which Act provides further for the payment of an expense allowance to the county superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Fine	Lybrand	Register	
Branyon	Foshee	McLain	Shelby	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Noonan	Weaver	
Cook	Harris	Pelham	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 750. Providing for the compensation of the County Superintendent of Education in any county having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cooper	Hammond	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 779. To provide clerical assistants to the judge of probate of Greene County and to provide that their compensation shall be paid out of the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Horne	Malone	Vacca	
Cooper	Jones	Owen	Weaver	
Dominick	King	Pelham	Wilder	
Fine	Lindsey			—25

Nays: —0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Carr, further consideration of the Bill, H. B. 758, was postponed until the Thirtieth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

H. 780. To authorize and direct the county commission of Greene County to allow and pay the sheriff of said county four hundred dollars (\$400) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately owned automobile used on official business.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Horne	Owen	Weaver	
Cooper	King	Pelham	Wilder	
Dozier	Lindsey	Pierce	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 798. Relating to counties having a population of not less than 39,500 nor more than 41,750, authorizing the county governing body to create the position of county consultant, prescribing the qualifications for said office and authorizing the county to furnish said county consultant with an office in the county courthouse.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Felham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Horne	Malone	Vacca	
Cooper	Jones	Owen	Weaver	
Dominick	King			—25

Nays:

—0

The Bill:

H. 742. Relating to counties having populations of not less than 42,000 nor more than 49,500, according to the most recent federal decennial census; to provide for the payment of an expense allowance to the judge of the juvenile court in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Bailes	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cooper	Harris	Pelham	Wilder	
Dominick	King	Pierce	Wilson	
Fine	Lindsey			—25

Nays: —0

The Bill:

H. 743. To provide a supplemental allowance for the court reporter of the twenty-sixth judicial circuit and to provide for the payment thereof from the general fund of the county within said circuits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cooper	King	Pelham	Wilder	
Dominick	Lindsey	Pierce	Wilson	
Fine	Littleton			—25

Nays: —0

The Bill:

H. 744. Relating to counties having populations of not less than 42,000 and not more than 49,500; to provide additional compensation to the chief clerks or deputies of the tax assessor and tax collectors in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Jones	Pelham	
Bailes	Gilmore	King	Shelby	
Branyon	Givhan	Lindsey	Vacca	
Clark	Hammond	McLain	Weaver	
Cooper	Harris	Noonan	Wilder	
Edington	Hawkins	Owen	Wilson	
Fine	Horne			—25

Nays: —0

The Bill:

H. 745. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide an expense allowance for the coroners in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Clark	Hammond	Noonan	Vacca	
Cooper	Harris	Owen	Weaver	
Dominick	Jones	Pelham	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 746. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide for the appointment of a part time probation officer for the juvenile court in such counties and to prescribe his qualifications, powers, duties and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 823. To amend further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Noonan	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 528. To amend Section 3 of Act No. 466, H. 1194, approved September 14, 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts and providing for the election of such commissioners; so as to provide further for the election and qualifications of the commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register
Bailes	Gilmore	Littleton	Shelby
Carr	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	Pelham	Wilder
Dominick	Hawkins	Pierce	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 907. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Harris	Lybrand	Register
Carr	Hawkins	McLain	Weaver
Clark	Horne	Malone	Wilder
Cooper	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 908. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Register
Bailes	Givhan	McLain	Shelby
Branyon	Hammond	Noonan	Vacca
Cook	Harris	Owen	Weaver
Cooper	King	Pelham	Wilder
Fine	Lindsey	Pierce	Wilson
Foshee	Littleton		

—25

Nays:

—0

The Bill:

S. 909. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Clark	Gilmore	McLain	Register	
Cook	Givhan	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

S. 910. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Clark	Gilmore	McLain	Register	
Cooper	Hawkins	Malone	Shelby	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 911. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Clark	Foshee	McLain	Register	
Cook	Gilmore	Malone	Shelby	
Cooper	Givhan	Noonan	Vacca	
Dominick	Hammond	Owen	Wilson	
Dozier	Harris			—25

Nays:

—0

The Bill:

S. 912. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment,

term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Harris	Lybrand	Register	
Bailes	Hawkins	McLain	Shelby	
Clark	Horne	Malone	Vacca	
Dominick	Jones	Noonan	Weaver	
Dozier	King	Pelham	Wilder	
Edington	Lindsey	Pierce	Wilson	
Hammond	Littleton			—25

Nays: —0

The Bill:

S. 913. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, abolishing the office of county or deputy solicitor in such counties and conferring the duties of such office upon the district attorney.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lybrand	Pierce	
Bailes	Dozier	McLain	Register	
Branyon	Fine	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Hammond	Owen	Weaver	
Cook	Jones	Pelham	Wilson	
Cooper	Littleton			—25

Nays: —0

The Bill:

S. 914. Relating to counties having a population of not less than 23,900 nor more than 24,450 and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lybrand	Register
Bailes	Fine	McLain	Shelby
Branyon	Givhan	Malone	Vacca
Carr	Hammond	Owen	Weaver
Clark	King	Pelham	Wilder
Cook	Lindsey	Pierce	Wilson
Cooper	Littleton		

—25

Nays:

—0

The Bill:

S. 915. To repeal Act No. 88, H. 208, Second Special Session 1965 (Acts 1965 Second Special Session v. 1, p. 118), an Act to prescribe the duties of the county solicitor or the prosecutor of the inferior courts, including the intermediate courts, of counties having populations of not less than 21,900 nor more than 22,300 according to the most recent or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Vacca
Cooper	Harris	Noonan	Weaver
Dominick	King	Pelham	Wilder
Dozier	Lindsey	Pierce	Wilson
Fine	Littleton		

—25

Nays:

—0

The Bill:

S. 918. To regulate the compensation of jurors in counties having populations of not less than 23,900 nor more than 24,450.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Weaver
Clark	Harris	Malone	Wilder
Cook	Hawkins	Owen	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

S. 919. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Pelham	Wilder	
Cook	Hawkins	Pierce	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 920. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Pelham	Wilder	
Cook	Hawkins	Pierce	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 921. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Owen	Weaver	
Cooper	Horne	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

S. 922. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Givhan	Lybrand	Pierce	
Carr	Hammond	McLain	Register	
Clark	Harris	Malone	Shelby	
Cook	Jones	Noonan	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 923. To apply only in counties having populations of not less than 23,900 nor more than 24,450 providing expense allowances payable from the county treasury for the coroners of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Register	
Bailes	Fine	Malone	Shelby	
Branyon	Givhan	Noonan	Vacca	
Carr	Hammond	Owen	Weaver	
Clark	Harris	Pelham	Wilder	
Cook	Hawkins	Pierce	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

S. 924. To apply only in counties having populations of not less than 23,900 nor more than 24,450, fixing the compensation of members of the jury commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Owen	Weaver	
Cooper	King			—25

Nays:

—0

The Bill:

S. 925. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Gilmore	Noonan	Vacca	
Carr	Hammond	Owen	Weaver	
Clark	Harris	Pelham	Wilder	
Cook	Jones	Pierce	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 927. Relating to counties having a population of not less than 23,900 nor more than 24,450, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Balles	Fine	Littleton	Register	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Noonan	Vacca	
Clark	Harris	Owen	Wilder	
Cook	Hawkins	Pelham	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 928. To authorize and provide for the final record in civil suits at law in the Circuit Court and in any County or Inferior Court of record in all counties having a population of not less than 110,000 and not more than 150,000 inhabitants as shown by the last or any succeeding Federal census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Pelham
Bailes	Dozier	Jones	Pierce
Branyon	Edington	Lybrand	Shelby
Carr	Fine	McLain	Weaver
Clark	Foshee	Malone	Wilder
Cook	Gilmore	Noonan	Wilson
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 935. To authorize establishment of branch banks in Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Bailes	Foshee	McLain	Register
Branyon	Gilmore	Malone	Shelby
Clark	Givhan	Noonan	Vacca
Cooper	Hammond	Owen	Weaver
Dominick	Harris	Pelham	Wilder
Dozier	Littleton		

—25

Nays:

—0

The Bill:

S. 939. Relating to counties having populations of not less than 100,000 nor more than 110,000 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register
Bailes	Foshee	Lybrand	Shelby
Branyon	Harris	Malone	Vacca
Carr	Hawkins	Noonan	Weaver
Dominick	Horne	Pelham	Wilder
Dozier	Jones	Pierce	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 942. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pierce	
Bailes	Fine	McLain	Register	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Givhan	Owen	Weaver	
Cook	Harris	Pelham	Wilder	
Cooper	Horne			—25

Nays:

—0

The Bill:

S. 944. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Givhan	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Cook	Jones	Owen	Weaver	
Cooper	King	Pelham	Wilder	
Edington	Lindsey	Pierce	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

S. 945. To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lybrand	Register	
Bailes	Dozier	McLain	Shelby	
Branyon	Edington	Malone	Vacca	
Carr	Fine	Noonan	Weaver	
Clark	Foshee	Owen	Wilder	
Cook	Givhan	Pelham	Wilson	
Cooper	Littleton			—25

Nays:

—0

The Bill:

S. 943. To amend the title and Section 1 of Act No. 127, H. 142, Regular Session 1961 (Acts 1961, p. 167), which provides for the election of the municipal governing body in certain counties classified on a population basis.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 943, to-wit:

AMENDMENT TO S. 943

In the caption, strike out the word "counties" and insert in lieu thereof the word cities.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Bailes	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Horne	Noonan	Wilder	
Edington	King	Owen	Wilson	
Fine	Lindsey			—25

Nays: —0

And said Bill, S. B. 943, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Carr	Harris	McLain	Vacca	
Clark	Horne	Malone	Weaver	
Cook	Jones	Noonan	Wilder	
Cooper	King	Pelham	Wilson	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 879. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an Act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, so as to provide that said license inspector shall be appointed by majority vote of the county governing body and to provide that his salary shall be established by the board of the Mobile County Civil Service System.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Register	
Bailes	Givhan	Lybrand	Shelby	
Branyon	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Jones	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 896. To repeal Act No. 826, H. 1065, approved September 8, 1961, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers." (Acts of Alabama 1961, vol. II, p. 1211).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Noonan	Vacca	
Carr	Hammond	Owen	Weaver	
Clark	Hawkins	Pelham	Wilder	
Cook	Horne	Pierce	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 897. To repeal Act No. 265, H. 46, approved September 15, 1961, entitled, "An Act further regulating the meetings of the county board of registrars in all counties having populations of not less than 38,000 nor more than 45,000." (Acts of Alabama 1961, vol. II, p. 2281).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Vacca	
Cook	Hammond	McLain	Weaver	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 898. To repeal Act No. 84, H. 145, approved July 9, 1962, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties." (Acts of Alabama, 1962, Special Session, p. 109).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register
Bailes	Gilmore	Littleton	Shelby
Branyon	Hammond	Lybrand	Vacca
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Malone	Wilder
Edington	Jones	Noonan	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

H. 899. To repeal Act No. 415, S. 439, approved September 4, 1963, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000, providing for the compensation of members of the jury commissions in such counties." (Acts of Alabama, 1963, vol. II, p. 920).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Owen
Bailes	Fine	Littleton	Pelham
Branyon	Foshee	Lybrand	Vacca
Carr	Hammond	McLain	Weaver
Clark	Horne	Malone	Wilder
Cook	Jones	Noonan	Wilson
Cooper	King		

—25

Nays:

—0

The Bill:

H. 900. To repeal Act No. 156, S. 137, approved August 28, 1964, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties." (Acts of Alabama, 1964, Special Session, p. 220).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register
Carr	Hammond	McLain	Shelby
Clark	Horne	Malone	Vacca
Cook	Jones	Noonan	Weaver
Cooper	King	Owen	Wilder
Edington	Lindsey	Pierce	Wilson
Fine	Littleton		

—25

Nays:

—0

The Bill:

H. 901. To repeal Act No. 73, S. 75, approved March 22, 1965, entitled, "An Act authorizing the appointment of juvenile court officers in

counties having populations of not less than 38,000 nor more than 45,000, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama, 1965, Special Session, vol. I, p. 88-89).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	Lybrand	Weaver	
Cook	Hammond	McLain	Wilder	
Cooper	Hawkins	Malone	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 902. To repeal Act No. 75, S. 91, approved March 22, 1965, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; fixing the compensation of the chief clerk of the judge of probate of each of such counties." (Acts of Alabama, 1965, Special Session, vol. I, p. 89-90).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Owen	
Bailes	Dozier	Littleton	Pierce	
Branyon	Fine	Lybrand	Register	
Carr	Foshee	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 903. To repeal Act No. 825, S. 403, approved September 2, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the county Solicitor in any such county." (Acts of Alabama 1965, vol. II, p. 1547-1548).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lybrand	Pierce	
Bailes	Dozier	McLain	Register	
Branyon	Fine	Malone	Shelby	
Carr	Foshee	Noonan	Weaver	
Clark	Hammond	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 904. To repeal Act No. 445, S. 460, approved August 19, 1965, entitled, "An Act relating to all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retroactive." (Acts of Alabama, 1965, vol. I, p. 648-649).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	McLain	
Bailes	Dozier	Jones	Malone	
Branyon	Fine	King	Owen	
Carr	Foshee	Lindsey	Weaver	
Clark	Gilmore	Littleton	Wilder	
Cook	Hammond	Lybrand	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 905. To repeal Act No. 215, H. 512, approved August 3, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the judge of the county court in any such county." (Acts of Alabama 1965, vol. I, p. 301).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lybrand	Register	
Branyon	Foshee	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Horne	Noonan	Weaver	
Cook	Jones	Pelham	Wilder	
Cooper	Lindsey	Pierce	Wilson	
Dominick	Littleton			—25

Nays: —0

The Bill:

H. 906. To repeal Act No. 113, H. 54, approved September 30, 1965, entitled, "An Act to regulate the compensation of the members of the county board of education in all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census." (Acts of Alabama, 1965, 2nd Special Session, vol. I, p. 152-153).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dominick	Gilmore
Branyon	Cook	Dozier	Hammond
Carr	Cooper	Foshee	Hawkins

Horne	Lybrand	Owen	Shelby	
Jones	McLain	Pierce	Vacca	
Lindsey	Malone	Register	Weaver	
Littleton	Noonan			—25
Nays:				—0

The Bill:

H. 907. To repeal Act No. 137, H. 121, approved May 10, 1967, entitled, "An Act to apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties." (Acts of Alabama, 1967, vol. I, p. 187-188).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Wilson	
Edington	Jones			—25
Nays:				—0

The Bill:

H. 908. To repeal Act No. 12, H. 70, approved June 27, 1967, entitled, "An Act to provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent decennial census." (Acts of Alabama, 1967, vol. I, p. 346).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne			—25
Nays:				—0

The Bill:

H. 909. To repeal Act No. 590, H. 611, approved September 8, 1967, entitled, "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 38,000 nor more than 45,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to pre-

scribe penalties for violation of this Act." (Acts of Alabama, 1967, vol. II, p. 1362-1365).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Register	
Branyon	Hammond	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Weaver	
Cooper	Jones	Pelham	Wilder	
Dominick	King	Pierce	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 910. To repeal Act No. 618, H. 781, approved September 8, 1967, entitled, "An Act relating to Counties having a population of not less than 38,000 nor more than 45,000, and providing for payment of salary to the Judge of the Inferior Court in any such County, and to provide for all fees going to said Court, to be paid into the general fund of such County." (Acts of Alabama, 1967, vol. II, p. 1423).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 911. To repeal Act No. 651, H. 876, approved September 8, 1967, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance for judges of the county court in such counties." (Acts of Alabama, 1967, vol. II, p. 1471-1472).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Register	
Branyon	Edington	Lindsey	Shelby	
Carr	Fine	Littleton	Vacca	
Clark	Foshee	Owen	Weaver	
Cook	Gilmore	Pelham	Wilder	
Cooper	Givhan	Pierce	Wilson	
Dominick	Hammond			—25

Nays:

—0

The Bill:

H. 912. To repeal Act No. 117, H. 102, approved May 14, 1969, entitled, "An Act to fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census, with retroactive effect." (Acts of Alabama, 1969, Special Session, vol. I, p. 188-189).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Clark	Foshee	Littleton	Shelby	
Cook	Gilmore	Lybrand	Vacca	
Cooper	Givhan	Owen	Weaver	
Dominick	Hammond	Pelham	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 913. To repeal Act No. 821, H. 1066, approved September 12, 1969, entitled, "An Act relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties." (Acts of Alabama, 1969, vol. II, p. 821).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Dozier	McLain	Register	
Branyon	Edington	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Hammond	Owen	Weaver	
Cook	Jones	Pelham	Wilson	
Cooper	King			—25

Nays:

—0

The Bill:

H. 914. To repeal Act No. 911, H. 1293, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws." (Acts of Alabama 1969, vol. II, p. 1642-1643).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Fine
Bailes	Cook	Dozier	Foshee
Branyon	Cooper	Edington	Gilmore

Hammond	Lindsey	Malone	Shelby	
Hawkins	Littleton	Noonan	Vacca	
Horne	Lybrand	Owen	Weaver	
Jones	McLain			—25
<i>Nays:</i>				—0

The Bill:

H. 915. To repeal Act No. 492, H. 1294, approved August 19, 1969, entitled, "An Act relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000." (Acts of Alabama 1969, vol. II, p. 951-952).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Bailes	Foshee	Lybrand	Shelby	
Branyon	Hammond	Noonan	Vacca	
Carr	Horne	Owen	Weaver	
Clark	Jones	Pelham	Wilder	
Cook	King	Pierce	Wilson	
Cooper	Lindsey			—25
<i>Nays:</i>				—0

The Bill:

H. 916. To repeal Act No. 840, H. 1109, approved September 12, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1544-1545).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	Littleton	Shelby	
Branyon	Fine	Lybrand	Vacca	
Carr	Foshee	McLain	Weaver	
Clark	Gilmore	Malone	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper	Horne			—25
<i>Nays:</i>				—0

The Bill:

H. 917. To repeal Act No. 1192, H. 1428, approved September 13, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes." (Acts of Alabama, 1969, vol. III, p. 2230-2231).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Pelham	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 918. To repeal Act No. 590, S. 697, approved August 29, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1076-1077).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Cooper	Horne	Owen	Wilder	
Dominick	Jones	Pierce	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 919. To repeal Act No. 1084, S. 896, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties." (Acts of Alabama 1969, vol. III, p. 2019-2020).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 351. To repeal Act No. 410 adopted at the 1969 Regular Session of the Legislature of Alabama applicable to municipalities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	Lindsey	Shelby
Branyon	Gilmore	Littleton	Vacca
Carr	Givhan	Lybrand	Weaver
Clark	Hammond	McLain	Wilder
Cook	Harris	Malone	Wilson
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 350. To clarify the requirements of law respecting publication of certain municipal ordinances and resolutions; and to validate certain leases heretofore entered into by municipalities, notwithstanding the fact that the ordinance or resolution authorizing any such lease was not published.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Branyon	Foshee	Lindsey	Shelby
Clark	Gilmore	Littleton	Vacca
Cooper	Givhan	McLain	Weaver
Dominick	Hammond	Noonan	Wilder
Dozier	Harris	Owen	Wilson
Edington	Hawkins		

—25

Nays:

—0

The Bill:

S. 508. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pierce
Bailes	Foshee	King	Shelby
Clark	Gilmore	Lindsey	Vacca
Cook	Givhan	McLain	Weaver
Dominick	Hammond	Noonan	Wilder
Dozier	Harris	Owen	Wilson
Edington	Hawkins		

—25

Nays:

—0

The Bill:

S. 649. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Fine	King	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Pelham	Wilder	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 684. To authorize the tax assessor of any county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to make or to have made photographic reproductions of books, records, papers or other documents, all of which are herein called "documents", required to be maintained or kept by such tax assessor; and to authorize such tax assessor to dispose of any such documents so photographed after the expiration of two years from the receipt of the same; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself, and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs; to authorize such tax assessor to make copies of such documents and to furnish such copies to the public, together with his certificate as to the authenticity and correctness of the same, upon the payment to him of the fee therefor established by the governing body of the county; to authorize the governing body of the county to establish the fee or fees which the tax assessor shall charge for the aforesaid certified copy; to provide for the repeal of all laws in conflict with this Act; and to provide for the severability of the provisions of this Act in the event that any part is declared to be null or void; and to provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Pelham	
Bailes	Edington	Jones	Pierce	
Branyon	Fine	King	Shelby	
Clark	Foshee	Lybrand	Vacca	
Cook	Gilmore	McLain	Wilder	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 686. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled:

"To provide that any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

was taken up.

Mr. Bailes offered the following amendment to the Bill, H. B. 686, to-wit:

AMENDMENT TO H. B. 686

Amend H. B. 686 as follows:

Delete the words, "lienholders of record", in the eighth and ninth lines from the top of Page 2 of H. B. 686 and substitute in lieu thereof the words, "mortgagees of record".

Also, delete the words, "lienholders of record", in the fifth line from the bottom of Page 3 and substitute in lieu thereof the words, "mortgagees of record".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Pierce	
Bailes	Fine	King	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Malone	Wilder	
Cooper	Hammond	Noona	Wilson	
Dominick	Harris			—25

Nays: —0

And said Bill, H. B. 686, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	King	Register	
Branyon	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	Pelham	Wilder	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 795. To amend the title and Section 1 of Act No. 292 of the Regular Session of the Legislature of Alabama of 1955, approved August 26, 1955, (Ala. Acts, 1955, p. 685 and 686), which authorized any county having a population of 500,000 or more, according to the last or any subsequent federal census, to appropriate funds to any public corporation created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947, (Ala. Acts, 1947, p. 81 et seq.), so that said title of said Act No. 292, as amended, will recite that the said Act authorizes any such county to improve, prepare, beautify and equip land owned by any such public corporation and so that Section 1 of said Act No. 292, as amended, will authorize any such county to improve, prepare, beautify and equip land owned by any such public corporation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Owen	
Bailes	Dozier	Littleton	Register	
Branyon	Fine	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne			—25

Nays:

—0

The Bill:

H. 1090. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary lines of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Register	
Bailes	Dozier	Littleton	Shelby	
Branyon	Fine	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hawkins	Pierce	Wilson	
Cooper	Jones			—25

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 39. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Also:

S. 282. To authorize the director of the Legislative Reference Service to employ additional temporary staff members and clerical help either subject to the provisions of the merit system law or without regard to the provisions thereof, under certain conditions.

Also:

S. 283. To make an additional appropriation from the State treasury to the use of the Legislative Reference Service for the payment of salaries and other expenses.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 36. Requesting that the Corps of Army Engineers name the Jones Bluff Lock and Dam facility for Dr. Robert F. Henry.

Also:

S. J. R. 37. Complimenting Chilton County on its annual Peach Festival and thanking Senator Obie Littleton for inviting the Legislature.

Also:

S. J. R. 58. Urging Foremost Furniture Company to investigate the advantages Alabama has to offer the furniture industry.

Also:

S. J. R. 62. Extending a warm Alabama welcome to Miss Debby Dane, good will ambassador for Walt Disney World.

JAMES S. CLARK,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 691. Relating to the thirty-sixth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Lawrence County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Pelham	
Bailes	Fine	Jones	Pierce	
Carr	Foshee	King	Vacca	
Clark	Gilmore	Lindsey	Weaver	
Cook	Givhan	McLain	Wilder	
Cooper	Harris	Owen	Wilson	
Dominick	Hawkins			—25

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 969. To amend further, Code of Alabama (1940) (recomp. 1958), Title 13, Section 125 (88), to provide compensation from the State of Alabama for all Assistant District Attorneys of the Twenty-third Judicial Circuit in the amount of \$6,000.00 per annum.

Committee on Finance and Taxation.

By Mr. McLain:

S. 970. To provide that the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 971. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 972. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to designate an official County Historian and appropriate a small honorarium for same.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 973. To amend Section 44 of Title 50 of the Code of Alabama of 1940, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of an improvement authority incorporated pursuant to the provisions of Chapter 3 of Title 50 of the Alabama Code of 1940, as amended.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lybrand:

S. 974. To provide funds for capital outlay purposes for Jacksonville State University.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 975. To amend Section 3 of Act No. 95, Regular Session Alabama Legislature 1967 (Acts 1967, Page 425) relating to gifts of securities, life insurance and annuity contracts or money to minors so as to provide that such gifts to minors under such Act may be also made by will and to provide procedures for the making thereof.

Committee on Judiciary.

By Mr. Lybrand:

S. 976. To establish the Alabama State Housing Authority (Authority) for the purpose of providing housing for persons of low and moderate income; to provide for the appointment of commissioners for the Authority by the Governor; to provide for the terms and method of appointment of the commissioners of the Authority; to provide for ex officio commissioners of the Authority; to provide for an Executive Director for the Authority; to give the commissioners of the Authority the same functions, rights, powers, duties, privileges, immunities and limitations as those now provided or which may in the future be provided for housing authorities in counties, municipalities or groups of counties or municipalities under Act No. 56 (H. 131), Regular Session, 1935, Acts of Alabama, as amended, appearing as Title 25 of the Code of Alabama, all of which are provided under other statutes of Alabama or which may in the future be provided for such housing authorities; to make the provisions of said Act No. 56, Regular Session, 1935, Acts of Alabama, as amended or as it may be amended in the future and to make all other statutes applicable to housing authorities created for counties, municipalities or groups of counties or municipalities applicable to the Authority; to allow the Authority to construct and operate housing for persons of low and moderate income in a county or municipality in which their county or municipality housing authority exists if the Authority makes findings of need, notifies the county or municipality housing authority of said findings and does not receive an acceptable plan for meeting the need from the county or municipal housing authority within sixty (60) days, provided the Authority shall first obtain the approval of the governing body of the county or municipality in which the housing will be located and to provide for an effective date for this Act.

Committee on Judiciary.

By Messrs. Gilmore and Vacca:

S. 977. To amend Title 50, Section 16, of the 1940 Code of Alabama, so as to eliminate the provision requiring notice of completion of work.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Littleton:

S. 978. To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

Be It Enacted by the Legislature of Alabama:

Section 1. The Autauga County Commission shall have and exercise all of the powers, duties, limitations, and responsibilities, and in the same manner, and its members subject to all penal provisions of the general laws of Alabama, now in effect, or hereinafter enacted, governing Courts of County Commissioners, and the members thereof, but only in so far as they are consistent with the provisions of this act.

Section 2. The Commission herein created shall consist of a chairman, and four associate members, who shall each and severally be chosen and possess the qualifications as hereinafter set out.

Section 3. The chairman of said Commission who shall qualify and assume his duties hereunder, immediately upon this act becoming a law, shall be judge of probate and he shall hold office until the first Monday after the second Tuesday in January 1977, and he shall receive for his services payable out of the county treasury, compensation as heretofore paid. Nothing in this act shall be construed to modify, amend, or repeal any law fixing the compensation and allowance of the judge of probate for the performance of his duties as presiding judge or chairman of the Commission. On and after the first Monday after the second Tuesday in January 1977, the chairman of the Commission herein created shall be the probate judge of Autauga County, Alabama, and he shall receive for his services hereunder the same compensation that does the said probate judge for said services under the said local and general laws.

Section 4. Beginning at the next term of office, the County Commission of Autauga County shall meet regularly at the courthouse on the 3rd day of each month unless this day falls on a holiday and in this case shall meet the following day, unless some other day be agreed upon prior to the meeting for the transaction of business properly coming before the Commission. The Commission may hold special meetings at the call of

the chairman. For each day's actual attendance at such meetings, the members shall each receive ten dollars (\$10). For the performance of their official duties in connection with the construction, repair, and maintenance of the roads and bridges of the county, the members of the Commission shall each receive five hundred dollars (\$500) per month. The salary herein provided for each member of the Commission plus the per diem pay allowed for each meeting of the board shall be his entire compensation and shall be in lieu of all other compensation and allowances for mileage and/or expenses. However, nothing in this Act shall be construed to modify, amend, or repeal any law fixing the compensation and allowances of the judge of probate for the performance of his duties as presiding judge or chairman of the Commission.

Section 5. For the purposes of this act, and for future election of associate members of the County Commission, said county is hereby divided into four subdivisions, to be known as districts, and to be numbered one of four, inclusive. District No. 1 shall embrace and be composed of voting precinct number 1. District No. 2 shall be composed of voting precincts numbers 3 and 4. District No. 3 shall be composed of voting precincts numbers 6, 7, 8 and 9. District No. 4 shall be composed of voting precincts numbers 10 and 11.

Section 6. At the general election immediately prior of the expiration date of the term of office of each of the associate members as they are hereinabove named, and as is hereinabove provided and every four years thereafter, their successors shall be elected by a majority of the qualified voters of the respective county at large but the candidate seeking office must come from his own district and must have lived in his district not less than one year, and the term of office of each associate member so elected shall be for four years, beginning on the first Monday after the second Tuesday in January, following his said election and until his successor has been elected and qualified.

Section 7. Each associate member of said Commission shall be nominated by the voters of his respective county who are authorized to participate in any primary election, caucus, or convention, called or held by any political party for the nomination of said office. Each said associate member shall be a resident and qualified voter of the district for which he is elected, and shall reside in said district continuously during the term of his office.

Section 8. Each said district shall be entitled to one associate member on said Commission, at all times, and should any vacancy occur, such vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 9. Each member of the Commission herein created shall, before entering upon the duties of his office, execute a good and sufficient bond, in the same amount, with the same conditions, which must be approved in the same manner, and must qualify in the same manner in all respects, except in so far as the same may be inconsistent with the provisions of this act, as is provided under the general laws of the State of Alabama for the members of the county commission.

Section 10. Action in the name of and under the authority of the Commission may be taken by a majority of said Commission, present and voting at any regular or special meeting, provided that, at least a quorum is in attendance. A quorum shall consist of the chairman and two other members, or three members other than the chairman.

Section 11. The Commission shall employ a clerk, who shall receive such compensation for his services as may be determined and fixed by the Commission, and the Commission may employ a secretary or such

other clerical help and assistants as may be deemed necessary for the proper, efficient and economical operation of the office of said Commission. The clerk shall enter the minutes of all proceedings of the Commission in a well bound book provided him for that purpose, which book shall be kept in the office of the Commission and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the Commission shall be entered and recorded in the minute book within five days from the adjournment of every regular or special meeting. The clerk shall present to the board at each regular meeting a list of all claims which have been filed against the county. He shall, also, keep a complete record of all receipts and disbursements of all county funds, and must be prepared at all times to show the exact financial condition of the county.

Section 12. The Commission shall have the power, and is hereby authorized to appropriate, out of any monies in the county treasury, not otherwise appropriated, and to expend not exceeding the sum of six thousand dollars (\$6,000.00) per annum for any purposes, not otherwise provided for by law, which in its judgment are worthy and for the best interests of the county, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, that the expenditures herein provided shall first be authorized by the Commission, and spread upon the minutes, and, provided further, that not more than six thousand dollars (\$6,000.00) shall be appropriated and expended in any one year, under this section, and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will, together with the sum so remaining unexpended, bring the contingent fund up to the sum of six thousand dollars (\$6,000.00).

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1971.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me July 30, 1971.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 10, 1974.

By Mr. Horne:

S. 979. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Committee on Constitution and Elections.

By Mr. Horne:

S. 980. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

Committee on Constitution and Elections.

By Mr. Foshee:

S. 981. To amend the title and Section 1 of Act No. 43, S. 125, Regular Session 1961 (Acts 1961, p. 64) which provides for the payment of expenses of the county or deputy solicitors of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 982. To amend the title and Section 1 of Act No. 41, S. 123, Regular Session 1961 (Acts 1961, p. 62) which imposes additional duties upon and increases the compensation of the county solicitor of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 983. To amend the title and Section 1 of Act No. 45, S. 127, Regular Session 1961 (Acts 1961, p. 65) which requires the tax collector and tax assessor to act in an advisory capacity to the county board of equalization and to investigate complaints as to assessments and make reports thereon to said board and provides for additional compensation for such officers from the general fund, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 984. To amend the title and Section 1 of Act No. 48, S. 130, Regular Session 1961 (Acts 1961, p. 67) which provides further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 985. To amend the title and Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175) as amended by Act No. 46, S. 116, Regular Session 1969 (Acts 1969-70, p. 335), which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 986. To repeal Act No. 64, H. 138, approved June 26, 1963, Regular Session 1963 (Acts 1963, p. 441), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census."

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 987. To amend the title and Section 1 of Act No. 121, H. 90, Special Session 1965 (Acts 1965, p. 174) which relates to closing the office of officials in the county courthouse in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 988. To repeal Act No. 86, S. 188, approved July 15, 1967, Regular Session 1967 (Acts 1967, p. 418), entitled, "An Act relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment."

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 989. To amend the title and Section 1 of Act No. 88, S. 224, Regular Session 1967 (Acts 1967, p. 420) which provides clerk hire allowances for certain county officers in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 990. To amend the title and Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089) which provides clerical assistants and duties and compensation therefor for sheriffs in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 991. To amend the title and Section 1 of Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745) which provides expense allowances for certain deputy sheriffs in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 992. To repeal Act No. 505, H. 1105, approved August 20, 1965, Regular Session 1965 (Acts 1965, P. 745), entitled, "An Act relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 993. To repeal Act No. 42, S. 124, approved June 12, 1961, Regular Session 1961 (Acts 1961, p. 63), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 preliminary county totals for Alabama, 1960 census of population, or any subsequent federal decennial census."

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 994. To provide for the appointment of a Safety Director in all incorporated cities in this State having a population of not less than 70,000 nor more than 135,000 according to the last or any subsequent regular decennial Federal census; to define the duties and fix the compensation of said Safety Director; to provide for transportation and expenses incurred by said Safety Director in the performance of his duties; to place such Safety Director under the operation of any City-County Merit System in force in any such cities and to establish a Traffic Commission.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 995. Relating to the Third Judicial Circuit; to provide for an additional expense allowance for the circuit court reporter of the Third Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Pelham:

S. 996. To amend Section 9 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to provide additional court costs for violations of State conservation laws or regulations which will be used for the benefit of the retirement fund.

Committee on Finance and Taxation.

By Mr. Owen:

S. 997. To amend Sections 117 and 118 of Title 46 of the Code of Alabama 1940 which relate to dental hygienists and the licensing thereof so as to make further provisions for the licensing of dental hygienists and dental assistants in this state.

Committee on Health.

By Mr. Register:

S. 998. To propose an amendment to the Constitution of Alabama, amending Amendment XCIII, adopted November 19, 1952, so as to authorize the Legislature to provide for the manufacture, distribution and use on motor vehicles of personalized prestige license plates or tags which may be procured by payment of a fee or charge in addition to the regular fee, excise or license tax for the registration, operation and use of the motor vehicle upon the public highways, and to provide for the use of the moneys derived from such fees or charges.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Register:

S. 999. To repeal Act No. 4, H. 62 of the Second Special Session of 1956 (Acts of 1956, p. 240) and all Acts amendatory thereof, which relate to the powers of municipalities to promote industrial development.

Committee on Commerce, Transportation
and Common Carriers.

By Messrs. Pierce, Clark, Lybrand, Givhan, Owen, Carr, Vacca, Lindsey, Harris, Gilmore and Jones:

S. 1000. To create in the State Department of Conservation a Division of Land Surveys; to provide for an officer designated Chief of the Division of Land Surveys, his oath of office and duties, acting for and in behalf of the Director of Conservation; to establish an Advisory Board for the Division of Land Surveys, its membership, duties and functions; to provide for a chairman of the Advisory Board and to provide for regular and special meetings; to provide for the travel and other necessary expenses of the members of the Advisory Board; to provide for the acquisition of lands, or interests therein, by the Division; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and leveling net of precision; to provide for a location of the Division; to give certain personnel of the Division the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Division by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Division in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Division shall engage in private land surveying or consultation; to grant the Division the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Division power to enter into contracts; to establish a Land Surveys Fund to accomplish the purposes and to fulfill the provisions of this Act; and further providing that any moneys in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

Committee on Conservation.

By Mr. Fine:

S. 1001. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 1002. To further provide for the administration of Sections 1901 through 1908 of the Federal Social Security Act by the State Health Department.

Committee on Health.

By Mr. Lindsey:

S. 1003. To amend the title and Section 1 of Act No. 1025, S. 890, Regular Session 1969 (Acts 1969, p. 1903), which Act provides further for the compensation, fees, power and duties of the judge and clerk of the Inferior Court of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1004. To amend the title and Section 1 of Act No. 317, H. 716, Regular Session 1963, (Acts 1963, p. 796), as amended, which Act pro-

vides for the payment of additional expense allowances of members of the county governing body in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1005. To amend the title and Section 1 of Act No. 1023, S. 878, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the compensation of deputy sheriffs in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1006. To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1007. To amend the title and Section 1 of Act No. 168, H. 55, Regular Session 1961 (Acts 1961, p. 212), which Act provides further for the compensation of fire wardens in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1008. To amend Section 1 of Act No. 140, S. 119, Special Session 1961 (Acts 1961, p. 2082), which Act provided for the closing of the offices in the courthouse on certain days in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Horne, Wilder and Foshee:

S. 1009. To amend Act No. 470 Regular Session of 1969, Vol. 1, page, 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

S. 401. To provide that Act No. 217 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, which relates to competitive bidding on contracts of certain public bodies, shall not be applicable to any contracts made by a municipality pursuant to the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Legislature of Alabama, as amended, which relates to the promotion of trade by inducing commercial enterprises to locate in the state and which confers on municipalities having a population not exceeding 100,000 inhabitants, according to the last or any subsequent federal census, powers with respect to the acquisition, leasing and financing of projects suitable for use by certain commercial enterprises.

was taken up.

Mr. Register moved that further consideration of the Bill, S. B. 401, be indefinitely postponed.

On motion of Mr. Fine, the motion to indefinitely postpone was laid on the table.

And said Bill, S. B. 401, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Dozier	Hawkins	Noonan
Bailes	Edington	Horne	Owen
Carr	Fine	Jones	Pelham
Clark	Foshee	King	Pierce
Cook	Gilmore	Lindsey	Vacca
Cooper	Givhan	Malone	Wilder

—23

Nays:

Messrs.:	Dominick	Lybrand	Register
Branyon	Littleton	McLain	Weaver

—7

The Bill:

S. 415. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and co-ordination of ambulances; to provide for violations of rules and regulations established hereunder:

was taken up.

Mr. Hawkins offered the following amendment, to the Bill, S. B. 415, to-wit:

AMENDMENT TO S. B. 415

Amend Senate Bill 415 by adding the following section immediately following Section 6 of said bill and renumber the remaining sections numerically.

"Section 7. This Act is cumulative and shall not be construed as limiting any power or authority of any municipality to set standards equal to or above State Standards as herein provided in this Act."

Which was adopted.

Yeas; 20 Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Pierce
Cook	Gilmore	Littleton	Vacca
Cooper	Hawkins	Lybrand	Wilder
Dominick			

—20

Nays:

—0

And said Bill, S. B. 415, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 15; Nays 4.

Yeas:

Messrs.:	Dominick	Hawkins	Noonan
Bailes	Edington	Jones	Pelham
Cook	Fine	King	Pierce
Cooper	Gilmore	Littleton	Wilder

—15

Nays:

Messrs.:			
Branyon	Carr	Dozier	Foshee

—4

The Bill:

H. 173. To make an additional appropriation from the General Fund in the State treasury to the Governor's Commission on Drug Abuse.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dominick	Givhan	Littleton
Bailes	Dozier	Hawkins	Lybrand
Branyon	Edington	Horne	Pelham
Carr	Fine	Jones	Pierce
Cook	Foshee	King	Wilder
Cooper			

—20

Nays:

—0

The Bill:

S. 804. To make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Littleton
Bailes	Dozier	Hawkins	Lybrand
Branyon	Edington	Horne	McLain
Carr	Fine	Jones	Malone
Cook	Foshee	King	Pelham
Cooper	Givhan	Lindsey	Wilder

—23

Nays:

—0

The Bill:

H. 65. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Lybrand	
Bailes	Edington	Horne	McLain	
Carr	Fine	Jones	Pelham	
Cook	Foshee	King	Pierce	
Cooper	Gilmore	Lindsey	Wilder	
Dominick	Givhan	Littleton		—22

Nays: —0

The Bill:

H. 66. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	McLain	
Bailes	Edington	Horne	Noonan	
Carr	Fine	Jones	Pelham	
Cook	Foshee	King	Pierce	
Cooper	Gilmore	Lindsey	Wilder	
Dominick	Givhan	Lybrand		—22

Nays: —0

The Bill:

H. 115. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate shall accompany a petition for adoption, and so as to relieve the Department of Pensions and Security of certain responsibilities in relation to step-parent and other relative adoptions, and to amend Act No. 294, page 2351, and Act No. 297, page 2357, Acts of Alabama 1961, to so relieve said Department.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Noonan	
Bailes	Dozier	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Foshee	Lindsey	Pierce	
Cook	Harris	Lybrand	Wilder	
Cooper	Hawkins			—21

Nays: —0

The Bill:

S. 457. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Givhan	Lybrand	Pierce
Cook	Harris	McLain	Register
Cooper	Hawkins	Malone	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 30. To amend Sections 31 and 33 of Title 13, Code of Alabama 1940, as amended, pertaining to the election by the chief justice or any associate justice of the supreme court to become a supernumerary justice, prescribing the conditions for such election, and further prescribing the term of office of supernumerary justices, and the duties, powers, and salaries of such justices.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Malone
Bailes	Fine	Jones	Noonan
Carr	Gilmore	King	Owen
Cook	Givhan	Lindsey	Pierce
Dominick	Harris	Lybrand	Wilder
Dozier	Hawkins	McLain	Wilson

—23

Nays:

—0

The Bill:

S. 652. To authorize the use of beds in tuberculosis sanatoria or tuberculosis hospitals receiving a State subsidy for tuberculosis treatment for general or special hospital purposes after licensure therefor and when such beds are not needed for treatment of tuberculosis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	McLain	
Bailes	Fine	Horne	Malone	
Branyon	Foshee	Jones	Owen	
Carr	Gilmore	King	Pelham	
Cooper	Givhan	Lindsey	Pierce	
Dominick	Harris	Lybrand		—22

Nays: —0

The Bill:

S. 807. To amend Title 22, Section 199, Code of Alabama 1940, to further provide for the care of patients; nonresident patients; reports as to patients; and charges for treatment in tuberculosis hospitals by establishing the number of subsidized beds for indigent tuberculosis patients and further providing for operation of clinics for treatment and control of tuberculosis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dozier	Hammond	McLain	
Bailes	Edington	Hawkins	Malone	
Branyon	Fine	Jones	Owen	
Carr	Foshee	King	Pelham	
Cooper	Gilmore	Lindsey	Pierce	
Dominick	Givhan	Lybrand	Wilder	—23

Nays: —0

The Bill:

S. 213. Making an appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes in regard to vocational rehabilitation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Malone	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Givhan	Littleton	Pierce	
Cooper	Hawkins	Lybrand	Wilder	
Dozier	Horne	McLain		—22

Nays: —0

The Bill:

S. 460. To further identify creditable years of service under the State Employees' Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Littleton	
Bailes	Dozier	Hawkins	Lybrand	
Branyon	Edington	Horne	Owen	
Carr	Fine	Jones	Pelham	
Clark	Foshee	King	Pierce	
Cook	Gilmore	Lindsey		—22

Nays:

—0

The Bill:

S. 902. To transfer certain historic properties owned by the Conservation Department of the State of Alabama to the Alabama Historical Commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Malone	
Bailes	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Cook	Givhan	Lybrand	Wilder	
Cooper	Hawkins	McLain	Wilson	
Dominick	Horne			—25

Nays:

—0

BILLS RE-REFERRED

On motion of Mr. Harris, unanimous consent was granted for the Bills, S. B. 917 and S. B. 926, to be removed from the Calendar.

Mr. Harris then moved that said Bills, S. B. 917 and S. B. 926, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and said Bills, S. B. 917 and S. B. 926, were ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 390. To prescribe a rule to apply in the circuit and inferior courts in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hawkins	McLain	Weaver
Cook	Horne	Malone	Wilder
Cooper	Jones	Noonan	Wilson
Dozier	King	Owen	

—26

Nay: Mr. Foshee

—1

The Bill:

H. 2. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Givhan	Lybrand	Vacca
Cook	Hawkins	Malone	Weaver
Cooper	Horne	Noonan	Wilder
Dozier	Jones	Owen	

—26

Nays:

—0

The Bill:

H. 318. To make a supplemental appropriation to the State Tenure Commission for the fiscal year ending September 30, 1971.

Was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Bailes	Givhan	Lybrand	Register
Branyon	Harris	McLain	Vacca
Carr	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder
Edington	Jones	Owen	Wilson
Fine	King	Pelham	

—26

Nay: Mr. Cooper

—1

The Bill:

H. 289. To authorize the director of conservation to declare open season on the killing of beavers under certain conditions and to provide for the payment of bounty therefor.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham
Bailes	Fine	Lybrand	Pierce
Branyon	Harris	McLain	Register
Carr	Hawkins	Malone	Vacca
Cook	Jones	Noonan	Vacca
Cooper	Lindsey	Owen	Wilson
Dominick			

—24

Nays:

—0

The Bill:

S. 493. To rename the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Pelham
Bailes	Givhan	Littleton	Pierce
Carr	Harris	Lybrand	Shelby
Cook	Hawkins	McLain	Vacca
Cooper	Horne	Noonan	Weaver
Dozier	Jones	Owen	Wilder
Edington			

—24

Nays:

—0

The Bill:

S. 383. To amend the Title and Sections 1 and 2 of Act No. 756 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include pollution control facilities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Cook	Givhan	Lybrand	Sheiby
Cooper	Hawkins	McLain	Vacca
Dominick	Horne	Malone	Wilder
Dozier			

—28

Nays: —0

The Bill:

S. 384. To make further provisions with respect to public corporations, commonly referred to as industrial development boards, heretofore or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time amended, so as to authorize each such public corporation to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, lease and dispose of, pollution control facilities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Cook	Gilmore	Lybrand	Shelby
Cooper	Hawkins	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier	Jones	Noonan	

—26

Nays: —0

The Bill:

H. 286. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Shelby
Clark	Harris	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Jones	Owen	Wilder
Dominick			

—24

Nays:

—0

The Bill:

S. 305. To require the director of finance to vacate certain space in the capitol and designate such space for the use of the legislature within sixty days.

was taken up.

On motion of Mr. Pelham, further consideration of the Bill, S. B. 305, was postponed until the next Legislative Day.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Branyon	Harris	Lybrand	Pelham
Clark	Hawkins	Malone	Register
Cook	Horne	Noonan	Wilson
Cooper	King		

—17

Nays:

Messrs.:	Dominick	Jones	Shelby
Bailes	Fine	Littleton	Weaver
Carr	Foshee	Pierce	

—10

The Bill:

H. 69. To authorize and make provisions for the organization and incorporation of Airport, Industrial Park, and Airport and Industrial Park Authorities as non-profit public corporations for the promotion of aviation and the development and promotion of industry and commerce in local areas of the State; to provide for the procedure, manner and conditions of organization and incorporation; to provide for the contents, execution and recording of certificates of incorporation; to provide that any such corporation shall be governed by a board of directors and to prescribe the number, terms, and manner of appointment of its members; to prescribe the powers of such Authorities, including the right to exercise the powers of eminent domain and certain zoning powers; to provide for the financing of such Authorities and to require certain local funding as a prerequisite to incorporation; to authorize the issuance of revenue bonds, to specify the provisions thereof, to pledge certain revenues for their retirement and to authorize the refunding of said bonds; to exempt such bonds from all taxation; to provide for cooperation with political subdivisions, public corporations and agencies of this State; to authorize political subdivisions to invest in bonds of the Authority and to make such bonds legal investments for fiduciaries, savings bonds and insurance com-

panies; to authorize the Authority to accept and expend federal and state moneys or funds from public or private sources for the purposes of this act; to exempt such Authorities from certain restrictions with respect to construction and purchasing contracts and zoning regulations; to require such Authorities to be audited annually; and to provide for the dissolution of any such Authority and the disposition of its property.

was taken up.

Mr. King offered the following amendment to the Bill, H. B. 69, to-wit:

AMENDMENT TO H. B. 69

Amend H. B. 69, Section 8, sub-paragraph 12, by striking the present sub-paragraph 12 and inserting in lieu thereof the following:

"(12). To acquire (by eminent domain and otherwise), establish, construct, expand on, control, equip, improve, maintain, operate and regulate satellite airports or landing fields for the use of aircraft in the State whether in one or more counties and without the corporate limits and police jurisdiction of any authorizing subdivision;"

Which was adopted.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Horne	Noonan	Vacca	
Cook	Jones	Owen	Wilder	
Cooper	King	Pelham		—22

Nay: Mr. Hawkins —1

Mr. King then offered the following amendment to the Bill, H. B. 69, as amended, to-wit:

AMENDMENT TO H. B. 69

Amend H. B. 69, Section 8, sub-section 17, by striking the present sub-section 17 and substituting in lieu thereof the following:

"(17). To exercise the power of eminent domain in the manner and subject to the provisions of Title 19 of the Code of Alabama 1940, as amended, with respect to any property, real personal or mixed, whether in one or more counties and whether without the corporate limits and police jurisdiction of any authorizing subdivision, including air space, structures and obstructions to flights and property already devoted to public use, that may be necessary for the construction, extension, maintenance, operation, protection, enlargement, improvement, or preservation of an airport or airport facility or industrial park or park facility;"

On motion of Mr. Bailes, further consideration of the Bill, H. B. 69, as amended, and pending amendment was postponed until the next Legislative Day.

BILLS REPORTED AND RE-REFERRED

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following Bill:

H. 1220. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1220, re-referred to the Standing Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lang (with notice and proof):

H. 483. To fix the compensation of the deputy solicitor of Greene County.

By Mr. Lang (with notice and proof):

H. 484. Authorizing compensation for clerical assistants for the tax assessor of Greene County and providing payment of such compensation out of county funds.

By Mr. Lang:

H. 485. To amend the title and Section 1 of Act No. 165, H. 543, Regular Session 1965 (Acts 1965, p. 232), which act provides for the fixing of per diem for members of the board of equalization of certain counties classified on a population basis.

By Mr. Lang:

H. 486. To amend the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

By Mr. Lang:

H. 487. To amend the title and section 1 of Act No. 628, H. 1022, Regular Session 1965 (Acts 1965, p. 1150), which act provides a clerk-hire allowance for certain officers of certain counties classified on a population basis.

By Mr. Lang:

H. 488. To amend the title and Section 1 of Act No. 395, H. 1023, Special Session 1969 (Acts 1969, p. 771), which act provides for increasing the salary of the deputy solicitor of certain counties classified on a population basis.

By Mr. Lang:

H. 489. To amend the title and Section 1 of Act No. 21, H. 71, Third Special Session 1965 (Acts 1965, p. 227) which act authorizes the county commission in certain counties classified on a population basis to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

By Mr. Lang:

H. 574. Relating to counties having populations of not less than 18,500 nor more than 20,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Grey (D):

H. 646. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; authorizing the probate judge to appoint a chief clerk and an assistant probate clerk, providing for their compensation, and fixing the amount of the official bond of the chief clerk.

By Mr. Grey (D):

H. 647. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; providing for the appointment of clerical assistants by the Tax Assessor, Tax Collector and Circuit Clerk.

By Mr. Lang:

H. 849. Relating to counties having populations of 10,660 or less; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Headley:

H. 201. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Chilton County; and the regulation of costs and charges of courts in said county.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Mathews:

H. 212. Relating to boards of registrars in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census, to provide that such boards shall only be required to hold meetings at the county seat.

By Mr. Mathews:

H. 213. To provide an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

By Mr. Headley:

H. 663. To authorize the Chilton County Commission to pay Eulene Littleton for the damages done to her car by a washed-out bridge in Chilton County on March 15, 1970.

By Mr. Headley (with notice and proof):

H. 776. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

By Mr. Headley (with notice and proof):

H. 847. To amend Section 13 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505), which act established the Board of Revenue and Control of Chilton County by eliminating the requirement for publication of minutes of the meetings of said Board.

By Mr. Headley (with notice and proof):

H. 848. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

By Messrs. Merrill, Burgess and Stewart (with notice and proof):

H. 1017. To amend further Act No. 608, H. B. 700, Regular Session 1951, an Act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), amending such Act relative to retirement benefits, and specifically amending Sections 16, 17 and 18 and repealing Section 19 of said Act.

By Messrs. Stewart, Burgess and Merrill:

H. 1251. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

By Messrs. Merrill, Stewart, and Burgess:

H. 1231. Relating to counties having populations of not less than 95,000 nor more than 115,000; providing further for the issuance of certificates of birth and death occurring in such counties; and prescribing penalties.

By Messrs. Merrill, Stewart, and Burgess:

H. 1518. To amend the title and Sections 1 and 2 of Act No. 170, H. 15, Special Session 1967 (Acts 1967, p. 217), which abolishes the office of clerk of the jury commission, provides that the circuit court shall perform the duties of the abolished office, and authorizes the county to provide for employment of additional clerical help in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1433. To amend the title and Section 1 of Act No. 196, H. 213, Special Session 1967 (Acts 1967, p. 243), which authorizes the county commission of certain counties classified on a population basis to appropriate county funds for the relief of persons damaged by county employees or county equipment.

By Messrs. Merrill, Burgess and Stewart:

H. 1434. To amend the title and Section 1 of Act No. 257, H. 773, Regular Session 1969 (Acts 1969, p. 589), which allows a judge to excuse veniremen summoned for the week in which a person or persons indicated for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present, in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1435. To amend the title and Section 1 of Act No. 506, S. 554, approved August 22, 1951 (Acts 1951, p. 898), as last amended, which relates to the circuit solicitors of certain judicial circuits composed of two counties, one of which is classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1436. To amend the title and Section 1 of Act No. 149, H. 167, Special Session 1969 (Acts 1969, p. 215), which fixes the per diem pay for members of the county board of equalization in certain counties classified on a population basis.

By Messrs. Burgess and Stewart:

H. 1437. To amend the title and Section 1 of Act No. 135, H. 436, Regular Session 1969 (Acts 1969, p. 409), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such fees, in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1438. To amend the title and Section 1 of Act No. 253, H. 756, Regular Session 1969 (Acts 1969, p. 585), which provides for the condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer and provides for the disposition of the proceeds of the sale thereof, in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1439. To amend the title and Section 1 of Act No. 118, S. 73, Special Session 1962 (Acts 1962, p. 152), which authorizes the licensing and regulation of and hunting on certain privately owned hunting preserves; prescribes fees for such license; provides for collection and distribution of such fees, and penalties for violations of this Act, in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1441. To amend the title and Section 1 of Act No. 192, S. 77, Special Session 1969 (Acts 1969, p. 254), which provides for the appointment, duties, and authority of an assistant chief clerk in the office of the judge of probate; to provide bonding, and provide for compensation, in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1442. To amend the title and Section 1 of Act No. 150, H. 168, Special Session 1969 (Acts 1969, p. 216), which provides for the establishment of a work schedule for firemen; provides maximum per week work hours for firemen with exceptions in certain emergencies; provides for the determination of when an emergency exists, and provides for organization of the fire department into platoons, in certain cities classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1443. To amend the title and Section 1 of Act No. 67, H. 56, 1st Special Session 1956 (Acts 1956, p. 99), as last amended, which abolishes the fine and forfeiture funds for certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1444. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts 1957, p. 678), as last amended, which further regulates the alteration and extension of the corporate limits and boundaries of incorporated municipalities in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1445. To amend the title and Section 1 of Act No. 73, H. 219, Regular Session 1967 (Acts 1967, p. 407), which provides that the county commission of certain counties classified on a population basis shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

By Messrs. Merrill, Burgess and Stewart:

H. 1446. To amend the title and Section 1 of Act No. 492, S. 414, Regular Session 1957 (Acts 1957, p. 681), as last amended, which relates to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1447. To amend the title and Section 1 of Act No. 183, H. 364, Regular Session 1961 (Acts 1961, p. 225), as last amended, which authorizes the establishment of branch banks in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1448. To amend the title and Section 1 of Act No. 148, H. 166, Special Session 1969 (Acts 1969, p. 215), which fixes the compensation of members of the jury commission in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1449. To amend the title and Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), as last amended, which provides further for the compensation and authority of coroners of certain counties classified on a population basis.

By Mr. Merrill:

H. 1450. To amend the title and Section 1 of Act No. 41, H. 110, Regular Session 1967 (Acts 1967, p. 369), which fixes the compensation of certain county officers in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1451. To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regulates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1452. To amend the title and Section 1 of Act No. 179, H. 98, Special Session 1969 (Acts 1969, p. 244), which provides for the appointment of an Assistant Chief Clerk in the office of the Judge of Probate of certain counties classified on a population basis; to define his duties and authority; to direct the filing of a bond and provide for the compensation of such position.

By Messrs. Merrill, Stewart and Burgess:

H. 1453. To amend the title and Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1454. To amend the title and Section 1 of Act No. 177, H. 433, Regular Session 1969 (Acts 1969, p. 485), which authorizes the county governing body to provide clerk hire allowances for the county solicitor or deputy district attorney in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1455. To amend the title and Section 1 and 2 of Act No. 693, H. 955, Regular Session 1967 (Acts 1967, p. 1518), which provides for the allocation of the duties of the chairman and members of the city commission of certain cities in counties classified on a population basis, and provides for their compensation.

By Messrs. Merrill, Burgess and Stewart:

H. 1456. To amend the title and Section 1 of Act No. 237, H. 236, Special Session 1966 (Acts 1966, p. 360), which provides for participation of county employees in the Employees' Retirement System of Alabama in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1457. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1458. To amend the title and Section 1 of Act No. 935, H. 1349, Regular Session 1969 (Acts 1969, p. 1672), which provides for the payment of salary and expenses of an investigator appointed by the district attorney of certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1459. To amend the title and Section 1 of Act No. 272, H. 13, Regular Session 1965 (Acts 1965, p. 385), which provides for the substitution of other books or texts for the textbooks on the list of state approved or state-adopted textbooks in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1460. To amend the title and Section 1 and 2 of Act No. 236, H. 905, Regular Session 1965 (Acts 1965, p. 340), which authorizes county commissions to provide clerk hire allowances for certain courts in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1461. To amend the title and Section 1 of Act No. 412, H. 906, Regular Session 1965 (Acts 1965, p. 601), which authorizes city Boards of Education in certain counties classified on a population basis to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having such boards and to operate said schools as if they were in a separate school district, pursuant to those agreements.

By Messrs. Merrill, Burgess and Stewart:

H. 1462. To amend the title and Section 1 of Act No. 446, S. 469, Regular Session 1965 (Acts 1965, p. 649), which prohibits the commissioner of licenses in certain counties classified on a population basis from charging or collecting any fees for administering oaths or acknowledging affidavits.

By Messrs. Merrill, Burgess and Stewart:

H. 1463. To amend the title and Section 1 of Act No. 35, H. 3, 2nd Special Session 1963 (Acts 1963, p. 205), which prohibits the probate judge from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit, in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1464. To amend the title and Section 1 of Act No. 94, H. 238, Second Special Session 1965 (Acts 1965, p. 127), which further regulates the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibits the sale of fish so taken in certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1465. To amend the title and Section 1 of Act No. 66, H. 19, Special Session 1966 (Acts 1966, p. 90), which regulates and provides for the payment of compensation of election officers in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1466. To amend the title and Section 1 of Act No. 92, H. 232, Second Special Session 1965 (Acts 1965, p. 125), which provides an optional plan by which the county commission of certain counties classified on a population basis may establish two or more voting places within an election precinct; directs the grouping of names of qualified voters within such precinct and the assignment of said voters to a voting place; and requires the publication of such group-lists and the accompanying assignments.

By Messrs. Merrill, Burgess and Stewart:

H. 1467. To amend the title and Section 1 of Act No. 67, H. 20, Special Session 1966 (Acts 1966, p. 80), which regulates the compensation of jurors in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1468. To amend the title and Section 1 of Act No. 479, H. 461, Regular Session 1965 (Acts 1965, p. 693), which provides expense allowances for coroners in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1469. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, p. 339), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1470. To amend the title and Section 1 of Act No. 69, H. 26, Special Session 1966 (Acts 1966, p. 92), which authorizes the county commission of certain counties classified on a population basis to appropriate and expend county funds for the purpose of providing contribution to non-profit Community Action Committee board, and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

By Messrs. Merrill, Burgess and Stewart:

H. 1471. To amend the title and Section 1 of Act No. 127, H. 235, Special Session 1966 (Acts 1966, p. 162), which regulates the compensation of bailiffs serving the circuit courts of certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1472. To amend the title and Section 1 of Act No. 176, H. 463, Regular Session 1965 (Acts 1965, p. 247), as last amended, which regulates the compensation and allowances of members of boards of education in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1473. To amend the title and Section 1 of Act No. 105, S. 251, Regular Session 1965 (Acts 1965, p. 165), which empowers the judge of probate to try inquisitions of lunacy with or without a jury; prescribes the manner of impaneling jurors where a jury trial is demanded in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 1474. To amend the title and Section 1 of Act No. 456, H. 493, Regular Session 1967 (Acts 1967, p. 1148), which regulates the compensation of the judges of the juvenile and domestic relations courts in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 1475. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court of such counties; to repeal conflicting laws.

By Messrs. Merrill, Stewart and Burgess:

H. 1476. To amend the title and Section 1 of Act No. 442, H. 192, Regular Session 1967 (Acts 1967, p. 1115), which provides further for the compensation of the chairman and members of the county commission, repeals conflicting laws in certain counties classified on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1477. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

By Messrs. Merrill, Burgess and Stewart:

H. 1478. To amend the title and Section 1 of Act No. 197, H. 262, Special Session 1964 (Acts 1964, p. 260), which provides for the office, appointment, tenure, and compensation of a chief bailiff of the circuit courts of certain counties on a population basis.

By Messrs. Merrill, Burgess and Stewart:

H. 1479. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

By Messrs. Merrill, Stewart and Burgess:

H. 1480. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

By Messrs. Crowe and Naramore:

H. 1102. Relating to all counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to authorize an increase in the fees charged by the probate judge for the issuing of a marriage license, for performing the marriage ceremony and for the issuing of a marriage certificate in said counties.

By Mr. Stubbs (with notice and proof):

H. 1120. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Pelham, Alabama and so as to incorporate certain territory as described herein.

By Mr. Turnham (with notice and proof):

H. 1135. To authorize the coroner of Lee County to appoint a deputy.

By Mr. Turnham (with notice and proof):

H. 1136. Relating to the official court reporter of the thirty-seventh judicial circuit; authorizing the Lee County Commission to pay such reporter additional compensation.

By Messrs. Turnham, Brassell and Adams:

H. 1137. To provide for a District Attorney's Fund for the Thirty-seventh Judicial Circuit.

By Messrs. Turnham, Adams and Brassell:

H. 1139. To amend the title and Section 1 of Act No. 931, H. 1484, Regular Session 1961 (Acts 1961, p. 1497), which authorizes the appointment of juvenile court officers in certain counties classified on a population basis.

By Messrs. Turnham, Adams and Brassell:

H. 1140. To amend the title and Section 1 of Act No. 109, H. 105, Special Session 1964 (Acts 1964, p. 169), which provides for and regulates the licensing and operation of, and hunting on, certain privately owned hunting preserves; provides for fees, and collection and distribution thereof, for such licenses, and penalties for violations of this act, in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1141. To amend the title and Section 1 of Act No. 305, H. 559, Regular Session 1965 (Acts 1965, p. 421), which authorizes the county governing body to appropriate a contingent fund out of county funds to be used for purposes not otherwise provided by law, in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1142. To amend the title and Section 1 of Act No. 676, S. 814, Regular Session 1969 (Acts 1969, p. 1211), which permits banks to establish, etc. certain branch offices within the county limits for certain purposes with consent of the state superintendent of banks, in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1143. To amend the title and Section 1 of Act No. 489, S. 635, Regular Session 1969 (Acts 1969, p. 949), which provides for payment by housing authorities or redevelopment agencies, on appeal from certain condemnation proceedings, of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee except in certain instances, in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1144. To amend the title and Section 1 of Act No. 552, H. 381, Regular Session 1967 (Acts 1967, p. 1303), which provides, where voting machines are authorized, for the dividing of voting precincts into territories and designating a voting center therein; prescribing the number of voting machines at such centers, and providing for election officers at such centers, in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1145. To amend the title and Section 1 of Act No. 1120, H. 732, Regular Session 1969 (Acts 1969, p. 2076), which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1146. To amend the title and Section 1 of Act No. 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), which fixes pistol permit fees and provides for deposit and use of such fees in certain counties classified on a population basis.

By Messrs. Turnham, Brassell and Adams:

H. 1147. To amend the title and Section 1 of Act No. 250, H. 639, Regular Session 1963 (Acts 1963, p. 660), which changes the method of electing, the designation of, and term of office of, members of the Board of Commissioners of certain cities classified on a population basis.

By Mr. Williams:

H. 1149. To propose an amendment to the Constitution of Alabama relative to fees, commissions, percentages, allowances and compensation of the Judge of Probate and other County officers of Jackson County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. May:

H. 1159. To amend the title and Section 1 of Act No. 596, S. 779, Regular Session 1969 (Acts 1969, p. 1083), which provides for the establishment, etc. of public law libraries and the taxing and collection of law library fees as items of court costs in certain cases in certain counties classified on a population basis.

By Mr. May:

H. 1160. To amend the title and Section 1 of Act No. 651, S. 735, Regular Session 1969 (Acts 1969, p. 1181), which provides for a temporary chairman of the county governing body should the elected chairman become incapacitated, in certain counties classified on a population basis.

By Mr. May:

H. 1161. To amend the title and Section 1 of Act No. 650, S. 734, Regular Session 1969 (Acts 1969, p. 1180), which pertains to the governing body and county engineers of certain counties classified on a population basis.

By Mr. May:

H. 1162. To amend the title and Section 1 of Act No. 584, S. 676, Regular Session 1969 (Acts 1969, p. 1071), which requires the teaching of Bible history in all public high schools and provides for instructors therefor, in certain counties classified on a population basis.

By Mr. May:

H. 1163. To amend the title and Section 1 of Act No. 277, S. 535, Regular Session 1969 (Acts 1969, p. 609), which provides further for the compensation of the county solicitor or deputy district attorney in certain counties classified on a population basis.

By Mr. May:

H. 1164. To amend the title and Section 1 of Act No. 235, S. 452, Regular Session 1969 (Acts 1969, p. 566), which prohibits the sale of alcoholic beverages in certain places; provides that the Act shall not be construed as authorizing the sale of such beverages at any other places in which a majority of the qualified electors voting at a referendum have voted that the county shall be dry, and prescribes penalties for violations, in certain counties classified on a population basis.

By Mr. May:

H. 1165. To amend the title and Section 1 of Act No. 122, H. 477, Regular Session 1965 (Acts 1965, p. 187), which provides for the licensing of and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses and collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

By Mr. May:

H. 1166. To amend the title and Section 1 of Act No. 483, H. 809, Regular Session 1965 (Acts 1965, p. 697), which authorizes the Director of Conservation to open a season for the hunting of female deer or unantlered male deer, in certain counties classified on a population basis.

By Mr. May:

H. 1167. To amend the title and Section 1 of Act No. 479, H. 665, Regular Session 1967 (Acts 1967, p. 1171), which provides that the regulation of the use of voting machines may be accompanied by the dividing of any voting precinct into territories in which a voting place may be designated, the setting of the number of voting machines in each such place, and the providing of election officers for each voting place, and provides the duties and compensation of such election officers, in certain counties classified on a population basis and according to whether voting machines have been or shall be authorized.

By Mr. May:

H. 1168. To amend the title and Section 1 of Act No. 193, S. 79, Special Session 1969 (Acts 1969, p. 255), which provides for the payment or reimbursement to all members of the county governing body of their actual expenses incurred in performing their duties outside the county, including attendance at certain conventions, in certain counties classified on a population basis.

By Mr. May:

H. 1169. To amend Section 9 of Title 19, Code of Alabama 1940, as last amended, which relates to the condemnation of property already devoted to public use, to exempt this section from application to certain railroad right-of-way crossings, in certain counties classified on a population basis.

By Mr. May:

H. 1170. To amend the title and Section 1 of Act No. 130, H. 372, Regular Session 1969 (Acts 1969, p. 404), which authorizes county boards of education to appoint the superintendent of education, in certain counties classified on a population basis.

By Mr. May:

H. 1171. To amend the title and Section 1 of Act No. 187, S. 376, Regular Session 1969 (Acts 1969, p. 502), which regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. May:

H. 1172. To amend the title and Section 1 of Act No. 205, S. 375, Regular Session 1969 (Acts 1969, p. 524), which fixes the fee for the issuance of pistol permits by the sheriff and provides for the distribution and use thereof, in certain counties classified on a population basis.

By Mr. May:

H. 1173. To amend the title and Section 1 of Act No. 214, S. 293, Regular Session 1969 (Acts 1969, p. 533), which authorizes the boards of registrars to meet an additional ten days per year and to be paid a travel allowance, in certain counties classified on a population basis.

By Mr. May:

H. 1174. To amend the title and Section 1 of Act No. 191, S. 422, Regular Session 1969 (Acts 1969, p. 504), which increases the salary of the Judge of the Inferior Court for certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owens (with notice and proof) (with substitute):

H. 1176. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Daniel (with notice and proof):

H. 1177. To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

By Mr. Barkett:

H. 1178. To repeal Act No. 242, H. 921, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344), entitled, "An Act To apply in all counties having populations of not less than 31,000 nor more than 32,000; authorizing nighttime hunting of racoons with rifle or shotgun; repealing conflicting laws."

By Mr. Barkett:

H. 1179. To repeal Act No. 125, H. 275, approved, July 10, 1963, Regular Session 1963 (Acts 1963, p. 500), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000 according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties."

By Mr. Barkett:

H. 1180. To repeal Act No. 1195, H. 1434, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2234), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties."

By Mr. Barkett:

H. 1181. To amend the title and Section 1 of Act No. 126, H. 365, Regular Session 1967, (Acts 1967, p. 463), which provides for dividing any voting precinct into territories; designating voting centers in such territories; and providing for the operation of such voting centers in certain counties classified on a population basis.

By Mr. Barkett:

H. 1182. To amend the title and Section 1 of Act No. 469, H. 562, Regular Session 1967, (Acts 1967, p. 1161), which fixed the compensation of the deputy sheriffs in certain counties classified on a population basis.

By Mr. Barkett:

H. 1183. To amend the title and Section 1 of Act No. 358, H. 362, Special Session 1966, (Acts 1966, p. 498), which authorized the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect in certain counties classified on a population basis.

By Mr. Barkett:

H. 1184. To amend the title and Section 1 of Act No. 470, H. 563, Regular Session, 1967, (Acts 1967, p. 470), which provided for fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees in certain counties classified on a population basis.

By Mr. Barkett:

H. 1185. To amend the title and Section 1 of Act No. 77, H. 458, Regular Session, 1965, (Acts 1965, p. 104), which provided for compensation of the members of the boards of education of such counties classified on a population basis.

By Mr. Barkett:

H. 1186. To amend the title and Section 1 of Act No. 331, H. 808, Regular Session 1965, (Acts 1965, p. 460), which provided for expense allowances for the coroners of such counties.

By Mr. Barkett:

H. 1187. To amend the title and Section 1 of Act No. 468, H. 561, Regular Session 1967, (Acts 1967, p. 1160), which provided for regulating compensation of election officers in certain counties classified on a population basis.

By Mr. Barkett:

H. 1188. To amend the title and Section 1 and 2 of Act No. 1194, H. 1433, Regular Session 1969, (Acts 1969, p. 2234), which provided for the operation of non-profit ambulance services by such counties and municipalities in all such counties classified on a population basis.

By Mr. Barkett:

H. 1189. To amend the title and Section 1 of Act No. 714, H. 1010, Regular Session 1967, (Acts 1967, p. 1551), which provided for per diem pay for members of the county board of equalization in certain counties classified on a population basis.

By Mr. Williams:

H. 1190. To amend the title and Section 1 of Act No. 776, H. 1487, Regular Session 1961 (Acts 1961, p. 1114), which Act provides for the payment of an allowance for the chairman of the county commission in certain counties classified on a population basis.

By Mr. Williams:

H. 1191. To amend the title and Section 1 of Act No. 660, S. 766, Regular Session 1969 (Acts 1969, p. 1194), which Act provides for the licensing of, and to regulate the operation of, hunting on privately owned hunting preserves, stocked by artificially propagated uplands in certain counties classified on a population basis.

By Mr. Williams:

H. 1192. To amend the title and Section 1 of Act No. 510, H. 1125, Regular Session 1965 (Acts 1965, p. 750), which Act authorizes the establishment of branch banks in certain counties classified on a population basis.

By Mr. Williams:

H. 1193. To amend the title and Section 1 of Act No. 172, S. 92, Special Session 1962 (Acts 1962, p. 218), which Act withdraws jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed in certain counties classified on a population basis.

By Mr. Williams:

H. 1194. To amend the title and Section 1 of Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750), which Act authorizes the deputy district attorney to employ a full time secretary and to fix the salary therefore.

By Mr. Williams:

H. 1195. To amend the title and Section 1 of Act No. 783, H. 1362, Regular Session 1961 (Acts 1961, p. 1135), which Act prohibits the taking of fish from public waters by the use of hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except set-lines, trotlines, and snaglines in certain counties classified on a population basis.

By Mr. Williams:

H. 1196. To amend the title and Section 1 of Act No. 182, H. 78, Special Session 1961 (Acts 1961, p. 2154), which Act further regulates the compensation and allowances of members of the Board of Registrars of certain counties classified on a population basis.

By Mr. Williams:

H. 1197. To amend the title and Section 1 of Act No. 248, H. 595, Regular Session 1969 (Acts 1969, p. 580), which Act provides for the selection of text books and instructional materials for use in the public schools in certain counties classified on a population basis.

By Mr. Williams:

H. 1198. To amend the title and Section 1 of Act No. 455, H. 470, Regular Session 1967 (Acts 1967, p. 1147), which Act provides for the compensation of the members of the board of equalization in certain counties classified on a population basis.

By Mr. Williams:

H. 1199. To amend the title and Section 1 of Act No. 270, H. 74, Special Session 1966 (Acts 1966, p. 410), which Act authorized the sheriff to employ additional deputies fixing their powers and duties and providing for their compensation in certain counties classified on a population basis.

By Mr. Williams:

H. 1200. To amend the title and Section 1 of Act No. 183, H. 79, Special Session 1961 (Acts 1961, p. 2155), which Act further regulates the compensation and allowances of members of the board of equalization of certain counties classified on a population basis.

By Mr. Williams:

H. 1201. To repeal Act No. 171, S. 91, approved, July 16, 1962, Special Session 1962 (Acts of Alabama 1962, p. 217) entitled, "An Act To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, for making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use."

By Mr. Williams:

H. 1202. To repeal Act No. 181, H. 77, approved, September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2154) entitled, "An Act To provide an additional expense allowance for the members of the County Board of Education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census."

By Mr. Williams:

H. 1203. To repeal Act No. 915, H. 1301, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1646), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

By Mr. Williams:

H. 1204. To amend the title and Section 1 of Act No. 438, H. 788, Regular Session 1969 (Acts 1969, p. 873), which Act authorizes the county governing body to fix the amount and prescribe the manner of compensating the members of the jury commissions in certain counties classified on a population basis.

By Mr. Williams:

H. 1205. To amend the title and Section 1 of Act No. 195, H. 208, Special Session 1967 (Acts 1967, p. 242), which Act provides for payment of additional expense allowances to the chairman and members of the governing body of certain counties classified on a population basis.

By Mr. Williams:

H. 1206. To amend the title and Section 1 of Act No. 654, H. 879, Regular Session 1967 (Acts 1967, p. 1475), which Act provides for expense allowances for coroners in certain counties classified on a population basis.

By Mr. Williams:

H. 1207. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session 1969 (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

By Mr. Williams:

H. 1208. To amend the title and Section 1 of Act No. 137, H. 457, Regular Session 1969 (Acts 1969, p. 410), which Act provides for an expense allowance for the judge of the county court in certain counties classified on a population basis.

By Mr. Williams:

H. 1209. To amend the title and Section 1 of Act No. 144, H. 165, Special Session 1967 (Acts 1967, p. 194), which Act authorizes the county commission to appropriate funds from the general fund for the purpose of employing clerical help in certain counties classified on a population basis.

By Mr. Williams:

H. 1210. To amend the title and Section 1 of Act No. 439, H. 789, Regular Session 1969 (Acts 1969, p. 875), which Act authorizes the county commission to appropriate county funds to establish a contingent fund; and providing for the use of such funds in certain counties classified on a population basis.

By Mr. Williams:

H. 1211. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

By Mr. Williams:

H. 1212. To amend the title and Section 1 of Act No. 1203, H. 1449, Regular Session 1969 (Acts 1969, p. 2245), which Act provides for the taxing of additional court cost on misdemeanors in certain counties classified on a population basis.

By Mr. Williams:

H. 1213. To amend the title and Section 1 of Act No. 82, H. 81, Special Session 1967 (Acts 1967, p. 114), which Act authorizes the county commission to appropriate funds from the Highway Traffic Funds or other funds in the county treasury for law enforcement purposes, including the payment of deputy salaries, in certain counties classified on a population basis.

By Mr. Turnham (with notice and proof):

H. 1221. Relating to Lee County: To abolish the offices of county solicitor and deputy circuit solicitor or deputy district attorney, however designated, for such county, and to require the district attorney of the Thirty-seventh Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the county solicitor or deputy circuit solicitor or deputy district attorney, however designated, were formerly required by law to represent the State or the county.

By Messrs. Reynolds and Goodwin (with notice and proof):

H. 1222. Providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 1232. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal night-time deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

By Mr. Stubbs:

H. 1233. To apply in counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

By Mr. Stubbs (with notice and proof):

H. 1234. To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

By Mr. Coshatt (with notice and proof):

H. 1237. To authorize the county governing body of St. Clair County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

By Mr. Coshatt:

H. 1238. To repeal Act No. 516, H. 1029, approved August 21, 1969, entitled, "An Act relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law." (Acts of Alabama, Regular Session, 1969, p. 992).

By Mr. Coshatt:

H. 1239. To repeal Act No. 621, H. 1201, approved August 26, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties." (Acts of Alabama, 1965, p. 1135).

By Mr. Coshatt (with notice and proof):

H. 1240. Regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of St. Clair County.

By Messrs. Coshatt and Reid (R) (with notice and proof):

H. 1241. To amend Section 4 of Act No. 125, H. 112, First Special Session 1965 (Acts of Alabama, 1965 First Special Session, P. 177), which Act provided for the position of clerk-secretary to the circuit solicitor of the 30th Judicial Circuit, so as to increase the salary of said clerk-secretary.

By Messrs. Carnes, Waldrop and Wynot:

H. 1278. To amend the title and Section 1 of Act No. 141, H. 142, Special Session 1969 (Acts 1969, p. 206), which provides for the traveling

expenses of the sheriff and constable of the county court for serving summons or other mesne process, except subpoenas for witnesses, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1279. To amend the title and Section 1 of Act No. 373, H. 930, Regular Session 1969 (Acts 1969, p. 741), which provides for taxing, collecting, and remitting of circuit court costs by the town or cities located in certain counties classified on a population basis when a case has been appealed from certain courts or certain disposition has been made of the case.

By Messrs. Carnes, Waldrop and Wynot:

H. 1280. To amend the title and Section 1 of Act No. 367, H. 915, Regular Session 1969 (Acts 1969, p. 737), which fixes the compensation of officers of the circuit court in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1281. To amend the title and Section 1 of Act No. 364, H. 912, Regular Session 1969 (Acts 1969, p. 734), which provides for expense allowances for certain officers of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1282. To amend the title and Section 1 of Act No. 366, H. 914, Regular Session 1969 (Acts 1969, p. 736), which increases the expense allowance of the county judges in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1283. To repeal Act No. 190, H. 389, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 230), as last amended, entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties."

By Messrs. Carnes, Waldrop and Wynot:

H. 1284. To repeal Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), approved August 7, 1961, as last amended, "An Act To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

By Messrs. Wynot, Carnes and Waldrop:

H. 1285. To repeal Act No. 158, H. 399, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 206) entitled, "An Act to fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census."

By Messrs. Wynot, Carnes and Waldrop:

H. 1286. To repeal Act No. 62, H. 102, approved July 2, 1962, Special Session 1962 (Acts 1962, p. 81) entitled, "An Act to amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.

By Messrs. Wynot, Carnes and Waldrop:

H. 1287. To repeal Act No. 163, H. 409, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 209) entitled, "An Act to regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

By Messrs. Wynot, Carnes and Waldrop:

H. 1288. To repeal Act No. 192, H. 391, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 231) entitled, "An Act to provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census."

By Messrs. Wynot, Carnes and Waldrop:

H. 1289. To repeal Act No. 432, H. 752, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 962) entitled, "An Act to amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population."

By Messrs. Carnes, Waldrop and Wynot:

H. 1290. To repeal Act No. 426, H. 466, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 945), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county."

By Messrs. Carnes, Waldrop and Wynot:

H. 1291. To repeal Act No. 310, H. 554, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 790), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of expense allowances of constables serving the county court in such counties."

By Messrs. Wynot, Carnes and Waldrop:

H. 1292. To repeal Act No. 146, S. 233, approved July 16, 1965, Regular Session 1965 (Acts 1965, p. 213) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000; regulating the compensation of bailiffs serving the circuit courts of such counties."

By Messrs. Wynot, Carnes and Waldrop:

H. 1293. To repeal Act No. 167, H. 413, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 211) entitled, "An Act to provide for the appointment and tenure and number, and fixing the compensation of bailiffs for circuit courts of Alabama in circuits having two circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census."

By Messrs. Carnes, Waldrop and Wynot:

H. 1294. To repeal Act No. 365, H. 913, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 735), entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties."

By Messrs. Wynot, Carnes and Waldrop:

H. 1295. To repeal Act No. 451, S. 436, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 983) entitled, "An Act relating to judicial circuits composed of one county having a population of not less than 96,000 nor more than 108,000; providing a supplemental salary for the judges of such circuits subject to certain contingencies."

By Messrs. Carnes, Waldrop and Wynot:

H. 1296. To repeal Act No. 706, H. 1117, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1307), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

By Messrs. Wynot, Carnes and Waldrop:

H. 1297. To repeal Act No. 151, S. 234, approved July 20, 1965, Regular Session 1965 (Acts 1965, p. 216) entitled, "An Act to apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector."

By Messrs. Wynot, Carnes and Waldrop:

H. 1298. To repeal Act No. 157, S. 276, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 227) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

By Messrs. Wynot, Carnes and Waldrop:

H. 1299. To repeal Act No. 318, H. 759, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 438) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

By Messrs. Carnes, Waldrop and Wynot:

H. 1523. To repeal Act No. 561, H. 396), approved August 25, 1961, Regular Session 1961 (Acts 1961, p. 860), entitled, "An Act Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board."

By Messrs. Carnes, Waldrop and Wynot:

H. 1524. To repeal Act No. 111, H. 252, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 391), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education."

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fine (with substitute):

S. 916. Act No. 31, H. 96 Third Special Session 1965 (Acts 1965 Third Special Session v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain (with notice and proof):

S. 949. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

By Mr. Wilson:

S. 950. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

By Mr. Wilson (with notice and proof):

S. 951. To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

By Mr. Carr (with notice and proof):

S. 953. Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

By Mr. Carr (with notice and proof):

S. 954. Relating to Marshall County; regulating the place for holding of Circuit and County Courts; to provide a central location for the maintenance of all Circuit and County Court records by the Circuit and County Court Clerk.

By Mr. Carr (with notice and proof):

S. 955. Relating to Marshall County; for the County Commission of Marshall County to employ a County Engineer, and the manner in which he shall be chosen, to fix and designate the duties, powers, and authority of said County Engineer, and to fix the amount of his bond, provide for the approval of same, and the payment of premiums thereon; to provide

for the fixing of a scale of wages and salaries; to designate the County Engineer as the person to make requisition for road supplies and equipment; to provide for the setting aside of road funds by the Commission, and for the banking and expenditure of the same; to provide for emergencies; to grant the Commission power and authority to appropriate and set aside a contingent fund, and the purposes for which said contingent fund may be used; to limit the amount of said fund, provide the manner in which said contingent fund may be appropriated and set aside; to repeal all laws in conflict with this Act.

By Mr. Owen:

S. 959. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to authorize the governing body to appropriate a sum not to exceed fifteen hundred dollars (\$1500) annually for the use of the County Cattlemen's Association in promoting their programs.

By Mr. Owen:

S. 960. Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide for the position of Secretary-Librarian for the circuit judge and district attorney to be quartered in the Courthouse and the compensation therefor.

By Mr. Owen:

S. 961. Relating to all counties having a population of 57,000 and not more than 61,000, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

By Mr. Cooper (with notice and proof):

S. 962. Relating to Wilcox County; authorizing additional compensation for registrars.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake, et al:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

By Mr. Drake, et al:

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

By Mr. Drake, et al:

H. 49. To amend Section 30 of Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064), as amended by Act No. 477, S. 337, Regular Session of 1969, (1969 Acts, p. 933); so as to increase the registration fee levied by subsection E of the said Section 30, and so as to make further provisions as to the disposition of the proceeds from the said registration fee.

By Mr. Harris:

S. 116. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuit.

By Mr. Register:

S. 218. To make an appropriation from the Alabama Special Educational Trust Fund to the George C. Wallace State Technical Junior College at Dothan, for capital outlay.

By Messrs. King, Pelham, Fine, McLain, Noonan, Shelby, Weaver and Vacca:

S. 416. To amend Act No. 730, Acts of Alabama, Reg. Sess. 1967, approved September 8, 1967, to authorize, provide for, and regulate the reimbursement out of the state treasury of certain expenses incurred by judges of Alabama attending and participating in the National College of State Trial Judges of Reno, Nevada, and to make a continuing appropriation therefor.

By Messrs. King, Pelham, Fine, McLain, Noonan, Shelby, Weaver and Vacca:

S. 417. To regulate expense allowances of circuit judges when ordered to hold court or perform official duties outside the respective circuits for which they are elected, amending Section 179 of Title 13 of the Code of Alabama 1940, as amended.

By Messrs. Pelham and Clark:

S. 461. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

By Mr. Pierce:

S. 479. To levy a license on Astrologers practicing their profession for the public.

By Mr. Pierce:

S. 480. To amend Section 528, Title 51, Code of Alabama, 1940, as amended, by deleting the word astrologers for the purpose of licensing astrologers under a separate act.

By Messrs. Jones, Pierce, Hawkins, Lybrand and Malone:

S. 481. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recomplied 1958, as

Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

By Mr. McLain:

S. 947. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations by extending such exemptions to the Elks Memorial Center For The Handicapped, The Alabama Sheriffs' Boys Ranch, The North Alabama T. B. Association, The Eufaula Heritage Association, and to the University of Alabama Huntsville Foundation.

By Mr. Wilson:

S. 948. Providing that \$150,000 dollars be appropriated from the Special Educational Trust Fund to rebuild the school at Joppa, Alabama in Cullman County.

By Mr. Wilson:

S. 592. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policemen or other municipal law enforcement officers or state troopers who, while employed by a municipality, are killed in the line of duty.

By Mr. Lang, et al:

H. 60. Relating to the furnishing of operating records by the director of public safety and the cost thereof, amending Section 3 of Act No. 704, General Acts of Alabama 1951, as amended.

By Mr. Lang, et al:

H. 61. To prescribe the fee to be allowed the Department of Public Safety for the furnishing of copies of certain records and reports by the Director of Public Safety.

By Messrs. Pierce and Jones:

S. 174. To amend Act Number 657, Regular Session Alabama Legislature, 1965, pertaining to the appointment of deputy district attorneys for the Fifteenth Judicial Circuit of Alabama and their salaries.

By Mr. Wilson:

S. 598. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

By Mr. Cooper:

S. 655. To amend Title 44, Section 15, 1940 Code of Alabama so as to provide for the payment of burial expenses of paupers and certain other persons.

By Mr. Pelham:

S. 711. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office, and compensation of the additional two members.

By Mr. Clark:

S. 687. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

By Mr. Pelham:

S. 712. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

By Mr. Harris:

S. 732. To make an appropriation for the support and maintenance of Athens College, located at Athens, in Limestone County.

By Mr. Wilson:

S. 871. To provide a full time Deputy District Attorney for the District Attorney of the Fourteenth Judicial Circuit of Alabama and to fix his duties and salary.

By Mr. Givhan:

S. 957. Relating to taxation of the Farmers Market Authority: To exempt from ad valorem taxes all property of such authority which is leased to the State of Alabama; and to exempt such authority from all franchise taxes relating to or growing out of the ownership or rental of such property.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lybrand (with amendment):

S. 12. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political subdivisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at at public sale and regulating publication of the notices of such sales.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham (without recommendation):

S. 730. To promote the safety of pupils and teachers in the public schools of Alabama and to provide further for the maintenance of law and order in such schools; for such purposes to establish a division of school security in the State Department of Public Safety and charge the chief of such division with the duty of organizing, activating, and coordinating a school security program and also with the duty of employing, training and supervising a special school police or security guard for the State; and to make appropriations from the Alabama Special Educational Trust Fund to finance such school security program.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 852. To propose an amendment to Section 70 of Article 4 of the Constitution of Alabama, which relates to bills proposing Acts for raising state revenue.

The above Bill was read a second time at length as required by the Constitution.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham (with substitute):

S. 276. To amend Act No. 21, H. 28, of the Special Session of 1969 (Acts 1969-70, p. 46) an act levying and providing for the collection of a tax on the furnishing of certain utility services, so as to provide that public utilities shall not add the tax thereby levied to the price or charge for utility services furnished for residential use; to require public utilities to absorb such tax on its utility services furnished for residential use; and for such purposes amending Sections 7 and 7A of said Act No. 21.

BILL RECONSIDERED

On motion of Mr. Dozier, the Senate reconsidered the vote by which the Bill, H. B. 31, was passed.

On motion of Mr. Dozier, the Senate postponed further consideration of the Bill, H. B. 31, until the Twenty-sixth Legislative Day.

RESOLUTION

Mr. Gilmore offered the following Senate Resolution, to-wit:

S. R. 63. WHEREAS, Richard Arnold, recent graduate of the University of Alabama and son of the distinguished entertainer Eddy Arnold, has been critically injured in an automobile accident near Bessemer; and

WHEREAS, this fine young man is hospitalized in the Lloyd Noland Hospital in Fairfield in serious condition; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA That we regret very deeply the tragic accident which has left Richard Arnold in critical condition, and pray for his improvement and complete recovery.

BE IT FURTHER RESOLVED THAT WE extend to his family our support and prayers for God's strength in this trying time.

And said resolution was read and ordered to lay over on the Secretary's desk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 59. To provide expense allowance to Judges of the Circuit Court in all Judicial Circuits composed of five or more counties in addition to those expenses now allowed by law.

was taken up.

Mr. Lybrand offered the following amendment to the Bill, S. B. 59, to-wit:

AMENDMENT TO S. B. 59

Amend S. B. 59 by inserting the words "and Judicial Circuits comprised of three counties and two counties" following the words "five or more counties".

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 64. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Twenty-Third Legislative Day only:

Bill No.	Page
1. HJR 56	Page 13
2. SB 38	Page 28
3. SB 369	Page 15
4. SB 373	Page 8
5. SB 165	Page 27
6. SB 23	Page 27
7. HB 470	Page 168½
8. SB 273	Page 15
9. SB 249	Page 40
10. HB 727	Page 61
11. HB 184	Page 11
12. SB 260	Page 23
13. SB 483	Page 36
14. SB 333	Page 24
15. SB 268	Page 50
16. SB 304	Page 12
17. SB 487	Page 60
18. SB 377	Page 19
19. HB 181	Page 76
20. SB 392	Page 41
21. HB 471	Page 77
22. SB 490	Page 72
23. HB 127	Page 75
24. HB 128	Page 75
25. HB 375	Page 7
26. SB 331	Page 16
27. SB 424	Page 42
28. SB 426	Page 42
29. SB 425	Page 71

Mr. Bailes offered the following amendment to the Senate Resolution, S. R. 64, to-wit:

AMENDMENT TO S. R. 64

Strike out S. B. 373 on page 8.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham
Branyon	Hammond	Lybrand	Pierce
Clark	Harris	Malone	Register
Cook	Hawkins	Noonan	Shelby
Gilmore	Horne	Owen	Weaver

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Nays:

Messrs.:	Dominick	Foshee	McLain
Bailes	Dozier	Jones	Vacca
Carr	Edington	King	Wilder
Cook	Fine	Littieton	

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Mr. Cooper offered the following amendment to the Resolution, S. R. 64, to-wit:

AMENDMENT TO S. R. 64

Amend S. R. 64 by striking therefrom No. 15, S. B. 268, on page 50.

On motion of Mr. Vacca, said amendment was laid on the table.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Givhan	McLain	Register
Clark	Harris	Malone	Shelby
Cook	Hawkins	Noonan	Vacca
Dominick	Jones	Pelham	Weaver
Foshee	King	Pierce	Wilder
Gilmore	Lybrand		

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Nays:

Messrs.:	Carr	Edington	Littleton
Bailes	Cooper	Lindsey	Owen
Branyon	Dozier		

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Mr. Cooper offered the following amendment to the Resolution, S. R. 64, to-wit:

AMENDMENT TO S. R. 64

Amend S. R. 64 by striking therefrom No. 15, S. B. 268 on page 50 and adding H. B. 222 on page 13 before No. 1, H. J. R. 56, page 13.

ADJOURNMENT

At 5:05 P. M., on motion of Mr. Cooper, pending further consideration of S. B. 59, the Senate adjourned until Thursday, August 5, 1971, at 12 o'clock Noon.